



WEB COPY



WP.No.25417 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.25417 of 2023

K.Sugantha Kumari

.. Petitioner

Versus

1.The State of Tamil Nadu
Rep by its Principal Secretary
Transport Department
Fort St.George, Chennai - 9

2.The Managing Director
State Express Transport Corporation (TN) Limited
Chennai

3.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust
Rep by its Administrator
Thiruvalluvar House, Pallavan Salai
Chennai – 600 002

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest at the rate of 6% per annum for the belated payment of leave salary, Provident Fund, gratuity and commutation as sought for in his representation dated 10.07.2023.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.V.Jeevagiridharan for R1
Additional Government Pleader
Mr.S.Sivasubramani for R2
Mr.C.S.K.Sathish for R3



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ORDER

This Writ Petition has been filed seeking to direct the respondents to pay interest at the rate of 6% per annum for the belated payment of leave salary, Provident Fund, gratuity and commutation as sought for in his representation dated 10.07.2023.

2. It is the case of the writ petitioner that he retired from his service on 30.06.2022. The grievance of the petitioner is that interest for the terminal benefits are not paid. In this regard, the petitioner has given representation to the respondents on 10.07.2023, however, the same has not been considered by the respondents. Hence, the present Writ Petition.

3. The learned counsel for the respondents submitted that they would release the eligible amount to the petitioner.

4. Heard both sides and perused the materials placed on record. This Court, in various decisions, have already taken a view that in all cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioner is entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.



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5. Accordingly, the respondents are directed to pay the eligible amount along with interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioner, from the date of his retirement till the date of actual disbursement within a period of eight weeks from the date of receipt of a copy of this Order.

6. With the above direction, this Writ Petition is disposed of. No costs.

29.08.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No

To

1.The Principal Secretary
The State of Tamil Nadu
Transport Department
Fort St.George, Chennai - 9

2.The Managing Director
State Express Transport Corporation (TN) Limited
Chennai

N.SATHISH KUMAR, J.



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3.The Administrator
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai – 600 002

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