



WEB COPY



WP.No.25432 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.25432 of 2023

R.Kumar T.I. St.No.13310 (Retired)

.. Petitioner

Versus

1.The Managing Director
Tamil Nadu State Transport Corporation (VPM) Limited
Kancheepuram Region
No.3/137, Salamedu Vazhuthareddy Post
Villupuram – 605 602

2.The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust
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 @ 4% for the belated payment of terminal benefits namely the Provident Fund amount, Gratuity amount, leave salary amount and commutation of pension amount to the petitioner for the period from 30.06.2022 (date of retirement) to till the date of payment by following the order passed in W.P.No.22387 of 2023 dated 31.07.2023.

For Petitioner : Mr.V.S.Jagedeesan

For Respondents : Mr.R.Venkatesa Perumal for R1
Mr.C.S.K.Sathish for R2



WP.No.25432 of 2023

ORDER

This Writ Petition has been filed seeking to direct the respondents to pay interest @ 4% for the belated payment of terminal benefits namely the Provident Fund amount, Gratuity amount, leave salary amount and commutation of pension amount to the petitioner for the period from the date of retirement to till the date of payment by following the order passed in W.P.No.22387 of 2023 dated 31.07.2023.

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 terminal benefits namely the provident fund amount, gratuity amount, leave salary amount and commutation of pension amount is paid belatedly on 25.06.2023 and he is entitled for interest, which are not paid. In this regard, the petitioner has given a representation dated 14.07.2023 to the respondents, however, the same has not been considered by the respondents. Hence, the present Writ Petition.

3. Heard Mr.V.S.Jegadeesan, learned counsel for the petitioner; Mr.R.Venkatesa Perumal, learned counsel appearing for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second respondent.

4. The learned counsel for the respondents submitted that they would



WP.No.25432 of 2023

release the eligible amount to the petitioner.

WEB COPY

5. 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.

6. 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.

7. 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

N.SATHISH KUMAR, J.



WEB COPY



WP.No.25432 of 2023

dhk

To,

1.The Managing Director
Tamil Nadu State Transport Corporation (VPM) Limited
Kancheepuram Region
No.3/137, Salamedu Vazhuthareddy Post
Villupuram – 605 602

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

WP.No.25432 of 2023

29.08.2023