



W.P.No.26242 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.26242 of 2023

1.P.Pannerselvam
2.V.Surendrababu
3.R.Latha
4.P.Krishnan
5.S.Balasubramanian
6.S.Jacintha

... Petitioners

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Salamedu, Vazhatha Reddy,
Villupuram – 605 602.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary, Provident Fund and Commutation of Pension amount to the petitioners.



W.P.No.26242 of 2023

For Petitioners : Mr.S.T.Varadarajalu

For R1 : Mr.R.Venkatasa Perumal

For R2 : Mr.C.S.K.Sathish

ORDER

This writ petition has been filed to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary, Provident Fund and Commutation of Pension amount to the petitioners.

2.It is the case of the petitioners that they retired from the respondent Corporation on various dates, however, their retirement benefits were settled belatedly as follows :

<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
P.Pannerselvam	30.09.2020	01.12.2022
V.Surendrababu	20.01.2021	01.12.2022
R.Latha	31.01.2020	28.10.2021
P.Krishnan	21.12.2020	01.12.2022
S.Balasubramanian	28.03.2021	01.12.2022
S.Jacintha (M/o.Stalin)	Stalin Died on 10.10.2020	01.12.2022

Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits.

Hence, the petitioners seek interest at the rate of 10% p.a. for the belated



W.P.No.26242 of 2023

payment of their retirement benefits.

WEB COPY

3. Heard the learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel, who takes notice for the 1st respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 2nd respondent.

4. This Court, in various decisions, have already taken a view that, in all cases of belated payment of terminal benefits, the concerned employee would be entitled to interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioners are entitled to interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5. Accordingly, the respondents are directed to pay interest at the rate of 4% per annum on the belated payment of the retirement benefits to the petitioners, from the date of their retirement till the date of actual disbursement, within a period of eight weeks from the date of receipt of a copy of this order.



W.P.No.26242 of 2023

WEB COPY

6.With the above direction, this writ petition is disposed of. No

costs.

08.09.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Salamedu, Vazhatha Reddy,
Villupuram – 605 602.

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



WEB COPY



W.P.No.26242 of 2023

N. SATHISH KUMAR, J.
mkn

W.P.No.26242 of 2023

08.09.2023