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W.P.No.25680 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.25680 of 2023

Jaffar Mohideen K

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram Division],
3/137, Salamedu, Vallatha Reddy Post, 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 the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the representations of the Petitioner dated 15.06.2023 and to pay interest at the rate of 10 percent for the late payment of the gratuity amount and 12 percent interest for other legal dues namely computation amount leave wages, P.F. Amount and the amount deducted under Retirement Benefit Scheme [RBS] with interest and award cost.



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For Petitioner : Mr.S.Ravi

For Respondents : Mr.R.Venkatesa Perumal – R1

Mr.C.S.K.Sathish – R2

ORDER

This Writ Petition has been filed to direct the the respondents to consider the representations of the Petitioner dated 15.06.2023 and to pay interest at the rate of 10 percent for the late payment of the gratuity amount and 12% interest for other legal dues namely computation amount, leave wages, P.F. Amount and the amount deducted under Retirement Benefit Scheme [RBS] with interest and award cost.

2. It is the case of the Writ Petitioner that he retired from service on 31.12.2021. The grievance of the petitioner is that his gratuity amount and other legal dues namely computation amount, leave wages and P.F. amount have been settled to the petitioner belatedly on 13.03.2023. Hence, the petitioner is claiming interest at the rate of 10% on belated



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payment of terminal benefits to the petitioner. In this regard, the petitioner has given a representation to the respondents on 15.06.2023. However, the same has not been considered by the respondents. Hence, the present Writ Petition has been filed seeking 10% interest on belated payment of terminal benefits.

3. Heard Mr.S.Ravi, 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. 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 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.

01.09.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Managing Director,
Tamil Nadu State Transport Corporation [Villupuram Division],
3/137, Salamedu, Vallatha Reddy Post, Villupuram – 605 602.
2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Pallavan Salai, Chennai – 600 002.



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N.SATHISH KUMAR, J.

VTC

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