



WEB COPY



W.P.Nos.25836 & 25898 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.25836 & 25898 of 2023

A.Kaliyaperumal ... Petitioner in W.P.No.25836 of 2022
D.Azagarasan ... Petitioner in W.P.No.25898 of 2022
Versus

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
No.3/137, Salamedu,
Vizhupuram- 605 602.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002. ... Respondents in both Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue appropriate writ orders or directions and in particular issue a Writ of Mandamus directing the respondents to pay difference in leave salary, difference in gratuity and pension arrears with 10% interest as per 14th wage settlement dated 24.08.2022 to the petitioners.

In both Writ Petitions:

For Petitioners : Mr.S.T.Varadarajalu

For R1 : Mr.R.Venkatesa Perumal

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



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COMMON ORDER

Writ Petitions have been filed to direct the respondents to pay difference in leave salary, difference in gratuity and pension arrears with 10% interest as per 14th wage settlement dated 24.08.2022 to the petitioners.

2.It is the case of the Writ Petitioners that they retired from service on 30.04.2020. The grievance of the petitioners is that the 14th wage settlement benefit was not extended to them. Hence, the petitioners are claiming the difference in gratuity, leave salary and difference in pension. In this regard, they have given a representation to the respondents on 31.07.2023 and 05.08.2023 respectively. However, the same have not been considered by the respondents. Hence, the present Writ Petitions have been filed to settle the above amount along with 10% interest.

3.Heard Mr.S.T.Varadarajulu, learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel appearing for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second respondent.



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4.The learned counsel for the respondents submitted that they would release the eligible amount to the petitioners.

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 petitioners are 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 payable to the petitioners along with interest at the rate of 4% per annum on the belated payment of the terminal 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.

7.With the above direction, both Writ Petitions are disposed of. No costs.

04.09.2023

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Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

To

1.The Managing Director,
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N.SATHISH KUMAR, J.
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