



WEB COPY



W.P.Nos.26225 & 26227 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.26225 & 26227 of 2023

R.Natarajan ... Petitioner in W.P.No.26225 of 2023
K.Arulnambi ... Petitioner in W.P.No.26227 of 2023
Versus

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
No.3/137, Salamedu,
Vizhupuram- 605 602. ... 1st respondent in both Writ Petitions
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kanchipuram Region,
Ponnerikarai, Bangalore National Highway,
Kanchipuram- 631 502. ... 2nd respondent in W.P.No.26225 of 2023
- 3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai- 600 002. ... 2nd respondent in W.P.No.26227 of 2023 &
3rd respondent in W.P.No.26225 of 2023

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 interest @ 10% for the belated payment of Gratuity, Leave Salary and commutation of pension amount to the petitioners.



W.P.Nos.26225 & 26227 of 2023

For Petitioners
in both Writ Petitions : Mr.S.T.Varadarajalu

For R1 & R2 in
W.P.No.26225 of 2023 and
R1 in W.P.No.26227 of 2023 : Mr.R.Venkatesa Perumal

For R2 in W.P.No.26227 of 2023
and R3 in W.P.No.26225 of 2023 : Mr.C.S.K.Sathish

COMMON ORDER

Writ Petitions have been filed to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary and commutation of pension amount to the petitioners.

2.The contention of the petitioners is that the petitioners retired from service on attaining the age of superannuation on 30.04.2019 & 31.05.2018 respectively and their retirement benefits were belatedly settled to them on 21.01.2021 & 31.08.2019 respectively. Therefore, the petitioners are eligible for interest on the belated payments of gratuity, leave salary and commutation of pension. Hence, seeks interest at the rate of 10% p.a. for belated payment of retirement benefits.



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3.Heard Mr.S.T.Varadarajalu, learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel for the 1st respondent in W.P.No.26227 of 2023 and respondents 1 and 2 in W.P.No.26225 of 2023 and Mr.C.S.K.Sathish, learned counsel for the 2nd respondent in W.P.No.26227 of 2023 and 3rd respondent in W.P.No.26225 of 2023.

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 petitioners are entitled for 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.



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6.With the above direction, these Writ Petitions are disposed of.

No costs.

07.09.2023

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

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