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W.P.No.25928 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 05.09.2023**

CORAM :

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**W.P.No.25928 of 2023**

- 1.Mariadoss
- 2.Rayappan
- 3.A.Gopalakrishnan
- 4.M.Devaraj
- 5.N.Ganesan
- 6.N.Padmanaban
- 7.Mohamed Sultan A.R.

... Petitioners

Vs.

- 1.The Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division I,  
Represented by its Managing Director,  
No.37, Mettupalayam Road,  
Coimbatore.

- 2.The Administrator,  
Tamil Nadu Pension Trust,  
Pallavan Salai,  
Chennai.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent herein to pay interest for the delayed payments made to the petitioners in respect of Leave Surrender, pending Dearness Allowance, and the funds deducted under State Transport Employees Retirement Benefit Scheme (STERBS).



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For Petitioners : Mr.D.Anand Raja

For R1 : Mr.A.Vinodh Raja

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

### **ORDER**

This writ petition has been filed to direct the 1<sup>st</sup> respondent herein to pay interest for the delayed payments made to the petitioners in respect of Leave Surrender, pending Dearness Allowance, and the funds deducted under State Transport Employees Retirement Benefit Scheme (STERBS).

2.It is the case of the petitioners that they retired from the respondent Corporation on various dates. However, the encashment towards Leave Surrender was paid to them only belatedly and the other terminal benefits like Dearness Allowance and funds deducted under State Transport Employees Retirement Benefit Scheme (STERBS) are yet to be paid to the petitioners. The petitioners further state that, to an application made under the Right to Information Act, 2005, seeking the amounts due to the petitioners, the respondents have replied with the amounts due and payable to them.



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3. Heard the learned counsel for the petitioner, Mr.A.Vinodh Raja, learned counsel who takes notice for the 1<sup>st</sup> respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 2<sup>nd</sup> respondent.

4. Considering the fact that the petitioners have not been paid the terminal benefits on time, the petitioner would be entitled for interest on the amounts. 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 amounts paid or to be paid to them towards terminal benefits.

5. Accordingly, the respondents are directed to pay the petitioners all the outstanding amounts payable to them, including pending Dearness Allowance and the funds deducted under State Transport Employees Retirement Benefit Scheme (STERBS), with interest on all the amounts already paid belatedly or to be paid thereafter towards their



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terminal benefits, at the rate of 4% per annum 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.

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

**05.09.2023**

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division I,  
No.37, Mettupalayam Road,  
Coimbatore.

2. The Administrator,  
Tamil Nadu Pension Trust,  
Pallavan Salai,  
Chennai.



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**N. SATHISH KUMAR, J.**  
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