



WEB COPY



W.P.Nos.26570 of 2023, etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.26570, 26577, 26579, 26582, 26583 and 26589 of 2023

W.P.No.26570 of 2023 :

P.Banu

... Petitioner

Vs.

1.The State of Tamil Nadu represented by
its Principal Secretary
Transport Department,
Fort St. George,
Chennai – 600 009.

2.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Chennai.

3.Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust
Represented by its Administrator,
Thiruvalluvar Illam, 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 at the rate of 6% per annum for the belated payment of Leave Salary, Provident Fund, Gratuity and Commutation, as sought for in his representation, dated 20.07.2023, within a time to be stipulated by this



W.P.Nos.26570 of 2023, etc. batch

WEB COPY

For Petitioner : Mr.L.Chandrakumar
in all writ petitions

For R1 : Mr.S.Arumugham
Government Advocate
in all writ petitions

For R2 : Mr.S.Sivasubramani
in all writ petitions

For R3 : Mr.C.S.K.Sathish
in all writ petitions

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay interest at the rate of 6% per annum to the petitioners for the belated payment of Leave Salary, Provident Fund, Gratuity and Commutation, as sought for in their representations, within a time to be stipulated by this Court.

2.It is the case of the petitioners in W.P.Nos.26570, 26577, 26579, 26582, 26583 and 26589 of 2023 that they retired from the respondent Corporation on 31.06.2021, 30.09.2016, 30.09.2021, 31.07.2021, 31.10.2021 and 30.11.2022, respectively, however, their



W.P.Nos.26570 of 2023, etc. batch

retirement benefits, viz., Leave Salary, Provident Fund, Gratuity and Commutation, were settled only belatedly. Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits, viz., Leave Salary, Provident Fund, Gratuity and Commutation. Hence, the petitioners seek interest at the rate of 6% per annum for the belated payment of their retirement benefits.

3. Heard the learned counsel for the petitioners, Mr.S.Arumugham, learned Government Advocate, who takes notice for the 1st respondent, Mr.S.Sivasubramani, learned counsel, who takes notice for the 2nd respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 3rd 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.



WEB COPY



W.P.Nos.26570 of 2023, etc. batch

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.

6. With the above direction, these writ petitions are disposed of.
No costs.

7. The learned counsel for the respondents are entitled to separate fees in each case.

12.09.2023

mkn

Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To

1. The Principal Secretary,
State of Tamil Nadu,
Transport Department,

<https://www.mhc.tn.gov.in/judis>



W.P.Nos.26570 of 2023, etc. batch

Fort St. George,
Chennai – 600 009.

WEB COPY

2.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Chennai.

3.The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.



WEB COPY



W.P.Nos.26570 of 2023, etc. batch

N. SATHISH KUMAR, J.
mkn

**W.P.Nos.26570, 26577, 26579,
26582, 26583 & 26589 of 2023**

12.09.2023