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W.P.Nos.26059 & 26063 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.26059 and 26063 of 2023

G.Ravi

... Petitioner
in W.P.No.26059 of 2023

M.Sekar

... Petitioner
in W.P.No.26063 of 2023

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu, Vazhuthareddy Post,
Villupuram – 605 602.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... Respondents
in both writ petitions

Prayer in W.P.No.26059 of 2023 : 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 @ 4% per annum for the belated payment of terminal benefits, namely, Provident Fund amount, Gratuity amount, Leave Salary amount and Commutation of pension amount to the petitioner, for the period from 31.05.2022 (Date of retirement) to till the



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date of payment by following the order passed in W.P.No.22387 of 2023, dated 31.07.2023, within a time frame.

Prayer in W.P.No.26063 of 2023 : 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 @ 4% per annum for the belated payment of terminal benefits, namely, Provident Fund amount, Gratuity amount, Leave Salary amount and Commutation of pension amount to the petitioner, for the period from 31.07.2022 (Date of retirement) to till the date of payment by following the order passed in W.P.No.22387 of 2023, dated 31.07.2023, within a time frame.

For Petitioner : Mr.V.S.Jagadeesan
in both writ petitions

For R1 : Mr.R.Venkatesa Perumal
in both writ petitions

For R2 : Mr.C.S.K.Sathish
in both writ petitions

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay interest @ 4% per annum for the belated payment of terminal benefits, namely, Provident Fund amount, Gratuity amount, Leave Salary amount and Commutation of pension amount to the petitioners, for the period from their date of retirement till the date of payment by following the order



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passed in W.P.No.22387 of 2023, dated 31.07.2023, within a time frame.

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2.It is the case of the petitioners that they retired from the respondent Corporation, however, their retirement benefits, viz., Provident Fund amount, Gratuity amount, Leave Salary amount and Commutation of pension amount, were settled belatedly on the following dates :

<i>Petitioner in</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
W.P.No.26059 of 2023	31.05.2022	25.06.2023
W.P.No.26063 of 2023	31.07.2022	25.06.2023

Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits, viz., Provident Fund amount, Gratuity amount, Leave Salary amount and Commutation of pension amount. Hence, the petitioners seek interest at the rate of 4% per annum for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel, who takes notice for the 1st respondent and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 2nd respondent.



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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.

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.

05.09.2023



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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

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N. SATHISH KUMAR, J.
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