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W.P.Nos.26106, 26108, 26110, 26115 & 26118 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.26106, 26108, 26110, 26115 & 26118 of 2023

K.Balasundaram	... Petitioner in W.P.No.26106 of 2023
K.S.Velayathdannair	... Petitioner in W.P.No.26108 of 2023
S.Yesudhas	... Petitioner in W.P.No.26110 of 2023
T.Mani	... Petitioner in W.P.No.26115 of 2023
K.John Joseph	... Petitioner in W.P.No.26118 of 2023

Versus

1.Metropolitan Transport Corporation Ltd.,
Rep by its Managing Director,
No.2 Pallavan Salai,
Chennai 600 002.

2.The Administrator,
Tamil Nadu State Transport Employees,
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai 600 002. ... Respondents in all Writ Petitions

COMMON PRAYER in W.P.Nos.26106, 26115 & 26118 of 2023: Writ Petitions filed under Article 226 of the Constitution of India, to issue appropriate Writs, Orders or Directions and in particular issue a Writ in the nature of Mandamus directing the respondents to pay petitioner interest for the belated payment of P.F, earned leave salary, Gratuity and commuted value of pension at the rate of 12% per annum, within a specified time.

COMMON PRAYER in W.P.Nos.26108 & 26110 of 2023: Writ Petitions filed under Article 226 of the Constitution of India, to issue appropriate Writs, Orders or Directions and in particular issue a Writ in the nature of Mandamus directing the respondents to pay petitioner interest for the



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belated payment of VRS compensation, P.F, earned leave salary, Gratuity and commuted value of pension at the rate of 12% per annum, within a specified time.

In all Writ Petitions:

For Petitioners : Mr.V.Ajoy Khose
For R1 : Mr.A.Vinodhraj
For R2 : Mr.C.S.K.Sathish

COMMON ORDER

W.P.Nos.26106, 26115 & 26118 of 2023 have been filed to direct the respondents to pay the petitioners' interest for the belated payment of provident fund, earned leave salary, Gratuity and commuted value of pension at the rate of 12% per annum, within a specified time.

2.W.P.Nos.26108 & 26110 of 2023 have been filed to direct the respondents to pay the petitioners' interest for the belated payment of VRS compensation, provident fund, earned leave salary, Gratuity and commuted value of pension at the rate of 12% per annum, within a specified time.

3.The contention of the petitioners in W.P.Nos.26106, 26115 & 26118 of 2023 is that the petitioners retired from service on attaining the age of superannuation on 30.09.2019, 28.02.2019 & 30.09.2022 respectively and their retirement benefits were belatedly settled to him on



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22.01.2021, 21.09.2019 & 23.05.2023 respectively. Therefore, the petitioners are eligible for interest on the belated payments of provident fund, earned leave salary, Gratuity and commuted value of pension. Hence, seeks interest at the rate of 12% p.a. for belated payment of retirement benefits.

4.The contention of the petitioners in W.P.Nos.26108 & 26110 of 2023 is that the petitioners retired from service under the Voluntary Retirement Scheme on 31.12.2021 & 30.09.2021 respectively and their retirement benefits were belatedly settled to him on 10.03.2023. Therefore, the petitioners are eligible for interest on the belated payments of Voluntary Retirement Scheme compensation, provident fund, earned leave salary, Gratuity and commuted value of pension. Hence, seeks interest at the rate of 12% p.a. for belated payment of retirement benefits.

5.Heard Mr.V.Ajoy Khose, learned counsel for the petitioners, Mr.A.Vinodhraj, learned counsel for the 1st respondent and Mr.C.S.K.Sathish, learned counsel for the 2nd respondent.



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6.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.

7.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.

8.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
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- 1.The Managing Director,
Metropolitan Transport Corporation Ltd.,
No.2 Pallavan Salai,
Chennai 600 002.

- 2.The Administrator,
Tamil Nadu State Transport Employees,
Pension Fund Trust,
Thiruvalluvar Illam,
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N.SATHISH KUMAR, J.
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