



WEB COPY



W.P.Nos.26162, 26165, 26166, 26169, 26170 & 26172 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.26162, 26165, 26166, 26169, 26170 & 26172 of 2023

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|-------------------|--|
| 1.V.Vadivel | ... Petitioner in W.P.No.26162 of 2023 |
| 2.P.Palaniappan | ... Petitioner in W.P.No.26165 of 2023 |
| 3.G.S.Gangadharan | ... Petitioner in W.P.No.26166 of 2023 |
| 4.A.Kanniyappan | ... Petitioner in W.P.No.26169 of 2023 |
| 5.R.Ravisankar | ... Petitioner in W.P.No.26170 of 2023 |
| 6.J.Krishnaswamy | ... Petitioner in W.P.No.26172 of 2023 |

Versus

- | | |
|--|--|
| 1.Metropolitan Transport Corporation Ltd.,
Rep by its Managing Director,
No.2 Pallavan Salai,
Chennai 600 002. | ... Respondent in W.P.Nos.26170 &
26172 of 2023 |
| 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: 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 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.

For Petitioners
in all Writ Petitions : Mr.V.Ajoy Khose



W.P.Nos.26162, 26165, 26166, 26169, 26170 & 26172 of 2023

For Respondent in
W.P.Nos.26170 & 26172
of 2023 and For R1 in
W.P.Nos.26162, 26165, 26166
& 26169 of 2023

: Mr.A.Vinodhraj

For R2 in W.P.Nos.26162, 26165,
26166 & 26169 of 2023

: Mr.C.S.K.Sathish

COMMON ORDER

All these Writ Petitions 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.The contention of the petitioners is that the petitioners retired from service on attaining the age of superannuation on 31.05.2022 (1st petitioner), 30.06.2022 (petitioners 2 to 4), 30.09.2022 (5th petitioner) & 30.08.2022 (6th petitioner) and their retirement benefits were belatedly settled to them on 23.05.2023, 30.05.2023, 23.05.2023, 19.09.2019, 23.05.2023 & 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.



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3. Heard Mr.V.Ajoy Khose, learned counsel for the petitioners, Mr.A.Vinodhraj, learned counsel for the 1st respondent in W.P.Nos.26162, 26165, 26166 & 26169 of 2023 and respondent in W.P.Nos.26170 & 26172 of 2023 and Mr.C.S.K.Sathish, learned counsel for the 2nd respondent in W.P.Nos.26162, 26165, 26166 & 26169 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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N.SATHISH KUMAR, J.

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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,
Metropolitan Transport Corporation Ltd.,
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.

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