



WEB COPY



WP.No.26411 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.26411 of 2023

K.Subramaniam (Rtd Staff No.FC5364)

.. Petitioner

Versus

The Managing Director
Tamil Nadu State Transport Corporation (Salem) Limited
No.12, Ramakrishna Road
Salem – 636 007

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and Earned Leave Salary other benefits Arrears Earned Leave Surrender in the years 2009-2012 & 2016-2017, ERBS Pension Amount, 12(3) wage Settlement Arrears and 7 days salary with effect from 01.05.2020.

For Petitioner : MrN.Desinghu

For Respondents : Mr.K.Raja

ORDER

This Writ Petition has been filed seeking to direct the respondents to disburse the belated payment of interest amount of Provident Fund, Gratuity, Commutation and Earned Leave Salary other benefits Arrears Earned Leave



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Surrender in the years 2009-2012 & 2016-2017, ERBS Pension Amount, 12(3) wage Settlement Arrears and 7 days salary with effect from 01.05.2020.

2. It is the case of the writ petitioner that he retired from his service on 30.04.2020. The grievance of the petitioner is that interest for the terminal benefits are not paid. In this regard, the petitioner has given representation to the respondents on 03.07.2023, however, the same has not been considered by the respondents. Hence, the present Writ Petition.

3. The learned counsel for the respondents submitted that they would release the eligible amount to the petitioner.

4. Heard both sides and perused the materials placed on record. 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 petitioner is 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 the eligible amount



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along with interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioner, from the date of his 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.

11.09.2023

dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

To

1. The Managing Director
Tamil Nadu State Transport Corporation (Salem) Limited
No.12, Ramakrishna Road
Salem – 636 007

N.SATHISH KUMAR, J.



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