



W.P.Nos.26645 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.26645, 26652, 26654, 26657, 26659,
26664, 26665 & 26667 of 2023**

W.P.No.26645 of 2023 :

E.Subramani

... Petitioner

Vs.

Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Represented by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore – 641 043.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct to the respondent to pay the petitioner interest for the belated payment of terminal benefits, namely P.F., EL and Gratuity and to pay wages towards 45 days of earned leave surrendered by the petitioner together with interest at the rate of 12% for all above benefits, within a specified time frame as may be timed by this Court.

For Petitioner : Mr.Krishnasamy R.
in all writ petitions

For Respondent : Mr.A.Vinodhraj
in all writ petitions



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COMMON ORDER

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These writ petitions have been filed to direct the respondent to pay the wages, Earned Leave amount, encashment of leave surrendered by the petitioners, difference in Gratuity, as applicable in each case and interest at the rate of 12% per annum for the belated payment of their terminal benefits and also for the aforesaid amounts to be settled thereafter, within a time frame as may be fixed by this Court.

2.It is the case of the petitioners that they retired from the respondent Corporation, however, in few cases, their terminal benefits were settled belatedly and in few cases, the respondent has not paid the wages, Earned Leave amount, encashment of leave surrendered by them, difference in Gratuity, as applicable in each case, and in some cases, the the respondent has also admitted the amount payable to the petitioners, vide their reply under Right to Information Act, 2005. Therefore, the petitioners pray for a direction to the respondent to settle the amounts payable to the petitioners with interest at the rate of 12% per annum for the belated payment of such amounts.



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3. Heard the learned counsel for the petitioners, Mr.A.Vinodhraj,

learned counsel, who takes notice for the 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.

5. Accordingly, the respondents are directed to disburse all the terminal benefits and the amounts admitted by the respondent as payable to the petitioners and any other amount to which the petitioners are eligible, along with interest at the rate of 4% per annum on the terminal benefits already paid belatedly and to be paid thereafter, 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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6. With the above directions, these writ petitions are disposed of.

No costs.

7. The learned counsel for the respondent is 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

The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
No.37, Mettupalayam Road,
Coimbatore – 641 043.



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