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W.P.Nos.27759, 27762, 27764 & 27765 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.27759, 27762, 27764 & 27765 of 2023

T.Padmanaban	... Petitioner in W.P.No.27759 of 2023
V.Parasuraman	... Petitioner in W.P.No.27762 of 2023
V.Ramadoss	... Petitioner in W.P.No.27764 of 2023
S.Anandhan	... Petitioner in W.P.No.27765 of 2023

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Limited,
3/136, Salamedu,
Villupuram – 605 602.

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

... Respondents
in all writ petitions

Prayer in W.P.No.27759 of 2023 : Writ Petition filed under Article 226
of the Constitution of India for issuance of a Writ of Mandamus to direct



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the respondents to pay the interest to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits for the period of 31.05.2022 to 18.06.2023 i.e., 384 days on Provident Fund, Earned Leave, Commuted Pension and other retirement benefits within a specified time.

Prayer in W.P.No.27762 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 the interest to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits for the period of 30.11.2022 to 18.06.2023 i.e., 201 days on Provident Fund, Earned Leave, Commuted Pension and other retirement benefits within a specified time.

Prayer in W.P.No.27764 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 the interest to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits for the period of 30.06.2022 to 18.06.2023 i.e., 354 days on Provident Fund, Earned Leave, Commuted Pension and other retirement benefits within a specified time.

Prayer in W.P.No.27765 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 the interest to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits for the period of 31.05.2022 to 18.06.2023 i.e., 384 days on Provident Fund, Earned Leave, Commuted Pension and other retirement benefits within a specified time.



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For Petitioner : M/s.S.Vasanthi
in all writ petitions

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

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

COMMON ORDER

These writ petitions have been filed to direct the respondents to pay the interest to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits on Provident Fund, Earned Leave, Commuted Pension and other retirement benefits within a specified time.

2.It is the case of the petitioners that they retired from the respondent Corporation, however, their retirement benefits, viz., Provident Fund, Earned Leave, Commuted Pension and other retirement benefits were settled belatedly on the following dates :

<i>Petitioner in</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
W.P.No.27759 of 2023	31.05.2022	18.06.2023
W.P.No.27762 of 2023	30.11.2022	18.06.2023
W.P.No.27764 of 2023	30.06.2022	18.06.2023
W.P.No.27765 of 2023	31.05.2022	18.06.2023



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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, Earned Leave, Commuted Pension and other retirement benefits. Hence, the petitioners seek interest at the rate of 6% 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.

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.



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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.

22.09.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Limited,
3/136, Salamedu,
Villupuram – 605 602.



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N. SATHISH KUMAR, J.

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2.The Administrator,
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