



W.P.No.26957 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26957 of 2023

1. A.Durairaj
2. Chandrasekaran
3. J.Vincent
4. S.K.Sasindran
5. Sellimuthu
6. G.Kousalya

... Petitioners

Vs

1. M/s.Tamil Nadu State Transport Corporation,
Coimbatore Division I
rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore.

2. The Administrator,
Tamil Nadu Pension Trust,
Pallavan Salai, Chennai – 600 002.

... Respondents



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Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent herein to pay interest for the delayed payments made to the Petitioner in respect of Gratuity Commutation Provident Fund and Earned leave etc.

For petitioners : Mr.D.Anand Raja

For Respondents : Mr.A.Vinothraj – R1

Mr.C.S.K.Sathish – R2

ORDER

This Writ Petition has been filed to direct the first respondent herein to pay interest for the delayed payments made to the Petitioner in respect of Gratuity Commutation Provident Fund and Earned leave etc.

2. It is the case of the Writ Petitioners that they retired from service on 31.05.2022, 30.06.2022 and 31.12.2020 on attaining the age of superannuation. It is the contention of the learned counsel that the terminal benefits were belatedly settled and therefore, the petitioner is



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eligible for interest on the belated payment of Gratuity and Provident

Fund. Hence, seeks a direction to the first respondent to disburse interest for belated payment of retirement benefits of the petitioner.

3. Heard Mr.D.Anand Raja, learned counsel for the petitioners and Mr.A.Vinothraj, learned Standing Counsel appearing for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second respondent.

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 petitioner is entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5. Accordingly, the respondent is directed to pay interest at the rate



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of 4% p.a. for belated payment of terminal benefits to the petitioners within a period of eight weeks from the date of receipt of a copy of this Order.

5. With the above directions, this Writ Petition is disposed of. No costs.

14.09.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

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N.SATHISH KUMAR, J.

VTC

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