



WEB COPY



WP.No.28066 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.28066 of 2023

S.Venkatesan, CR 3335

.. Petitioner

Versus

1.The Managing Director
The Tamil Nadu State Transport
Corporation (Villupuram) Limited
No.3/136, Salamedu
Vizhupuram – 605 602

2.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
No.2, Pallavan Salai,
Chennai – 600 062

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest @ 6% 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, Gratuity, Earned Leave, Commuted Pension and other retirement benefits.

For Petitioner : Mr.S.Vasanthi

For Respondents : Mr.R.Venkatesaperumal for R1
Mr.C.S.K.Sathish for R2



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ORDER

This Writ Petition has been filed seeking to direct the respondents to pay interest @ 6% 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, Gratuity, Earned Leave, Commuted Pension and other retirement benefits.

2. It is the case of the Writ Petitioners that he retired from his service on 30.06.2022. The grievance of the petitioner is that interest for the belated payment of Provident Fund, Gratuity, Earned Leave, Commuted Pension amounts are not paid. In this regard, the petitioner has given representation to the respondents on 26.08.2023, however, the same have not been considered by the respondents. Hence, the present Writ Petition.

3. Heard Mr.S.T.Varadarajulu, learned counsel for the petitioners and Mr.R.Venkatesaperumal, learned counsel for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second respondent.

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

5. This Court, in various decisions, have already taken a view that in all



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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.

6. Accordingly, the respondents are directed to pay the eligible amount payable to the petitioners along with interest at the rate of 4% per annum on the belated payment of the terminal 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.

7. With the above direction, this Writ Petition is disposed of. No costs.

27.09.2023

dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

N.SATHISH KUMAR, J.



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To

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Vizhupuram – 605 602

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