



WEB COPY



W.P.No.27272 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27272 of 2023

T.Rajkumar

... Petitioner

Versus

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu, Valudhareddy Post,
Villupuram – 605 652.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Cuddalore Regional Office,
Cuddalore – 607 002.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay interest amounts to the belatedly paid Leave Liability, Service Gratuity and Commutation of pension amount at the rate of 4%% per annum in the light of the judgment made by this Court on 03.07.2023 in W.P.No.19221 of 2023.

For Petitioner : Mr.N.Ishak
For Respondent : Mr.R.Venkatesa Perumal-R1 & R2
Mr.C.S.K.Sathish-R3



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ORDER

This Writ Petition has been filed to direct the respondents to pay interest amounts to the belatedly payment of leave liability, service gratuity and commutation of pension at the rate of 4%% per annum in the light of the order made by this Court on 03.07.2023 in W.P.No.19221 of 2023.

2.The contention of the petitioner is that he retired from service on 30.04.2017 itself. However, his retiral benefits, viz., leave liability, service gratuity and commutation of pension have been paid to the petitioner on 12.01.2018, 03.08.2017 and 30.01.2021 respectively and no interest was paid for the belated payment as per settled law. Hence, seeks 4% interest for belated payment of retiral benefits.

3.Heard the learned counsel for the petitioner, Mr.R.Venkatesa Perumal, learned counsel appearing for the first and second respondents and Mr.C.S.K.Sathish, learned counsel appearing for the third 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,



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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 first respondent is directed to pay 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.

19.09.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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To

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N.SATHISH KUMAR, J.



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2.The General Manager,
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