



WEB COPY



W.P.No.27563 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.27563 of 2023

R.Mahendran

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore – 641 043.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to disburse the remaining interest amount on the delayed retirement benefits paid to him by them at the rate of 6% payable to him within the stipulated time to be fixed by this Court.

For Petitioner : Mr.M.A.Sivakumaran

For R1 : Mr.A.Vinodhraj

For R2 : Mr.C.S.K.Sathish



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ORDER

This writ petition has been filed to direct the respondents to disburse the remaining interest amount on the delayed retirement benefits paid to him at the rate of 6% payable to him within the stipulated time to be fixed by this Court.

2.It is the case of the petitioner that he retired from the respondent Corporation on 28.02.2015, however, his terminal benefits were settled belatedly in the years 2017 and 2018. It is the further case of the petitioner that, on his repeated representations, the respondents settled interest on the delayed payment of terminal benefits to the petitioner. However, it is the grievance of the petitioner that he has been paid much lesser amount towards interest on belated payment of terminal benefits and therefore, he claims for payment of remaining interest as calculated by him. In this regard, he has submitted a representation to the respondents, dated 01.08.2023. Since the same was not considered, the present writ petition has been filed.



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3. Heard the learned counsel for the petitioner, Mr.A.Vinodhraj, 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 petitioner is 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 calculate interest at the rate of 4% p.a. on the belated payment of terminal benefits to the petitioner and settle the amount to which the petitioner is eligible, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

22.09.2023

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N. SATHISH KUMAR, J.



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Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To

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