



WEB COPY



W.P.No.27816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27816 of 2023

S.Shanmugam

... Petitioner

Versus

1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore -43.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode -638 001.

3.The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House, Anna Sali,
Chennai -2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to pay interest for the belated payment of Provident Fund, Gratuity, Commuted Value of Pension, Encashment of Earned Leave, Surrender Leave and at the rate of 12% per annum, within a specified time.

For Petitioner	:	Mr.P.Gurusamy
For Respondents	:	Mr.A.Vinodhraj-R1
		Mr.M.Murali Vinodh-R2
		Mr.C.S.K.Sathish-R3



W.P.No.27816 of 2023

ORDER

This Writ Petition has been filed to direct the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Commuted Value of Pension, Encashment of Earned Leave, Surrender Leave and at the rate of 12% per annum, within a specified time.

2.The contention of the petitioner is that the petitioner retired from service on 30.06.2022 and his retirement benefits were belatedly settled only on 22.05.2023. Therefore, the petitioner is eligible for interest on the belated payment of Provident Fund, Gratuity, Commuted Value of Pension, Encashment of Earned Leave, Surrender Leave and other benefits. Hence, seeks interest at the rate of 12% p.a. for belated payment of his retirement benefits.

3.Heard learned counsel for the petitioner and learned counsel for the respondents.

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,



W.P.No.27816 of 2023

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 of 4% per annum on the belated payment of the retirement 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.

25.09.2023

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

vv2

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore -43.

N.SATHISH KUMAR, J.



W.P.No.27816 of 2023

vv2

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode -638 001.

3.The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House, Anna Sali,
Chennai -2.

W.P.No.27816 of 2023

25.09.2023