



WEB COPY



WP.No.27802 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.27802 of 2023

P.Somuraj

.. Petitioner

Versus

1.The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited
Erode Region
Rep by its Managing Director
Erode

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

.. 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 the petitioner interest at the rate of 18% per annum, for the period of delay from 01.05.2019 to 24.01.2021 in paying the amounts paid towards his terminal and pension benefits namely EPF Employees' Contribution, Gratuity, Encashment of Leaves and Commuted Value of Pension.

For Petitioner : Mr.V.Ajay Khose

For Respondents : Mr.M.Muralivinodh for R1
Mr.C.S.K.Sathish for R3

ORDER



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This Writ Petition has been filed seeking to direct the respondents to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.05.2019 to 24.01.2021 in paying the amounts paid towards his terminal and pension benefits namely EPF Employees' Contribution, Gratuity, Encashment of Leaves and Commutated Value of Pension.

2. It is the case of the writ petitioner that he had joined in the respondent Corporation on 24.01.1989 as Junior Tradesman and had retired from his service on 31.04.2019. It is the grievance of the writ petitioner that the respondents paid the retirement benefits such as EPF Employees' Contribution, Gratuity, Encashment of Leaves and Commutated Value of Pension belatedly without any interest. Hence, he made a representation on 23.06.2023 requesting the respondents to pay interest for belated payments and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.

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

4. 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.

5. 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.

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

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dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No

N.SATHISH KUMAR, J.



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To

1.The Managing Director
The Management of
Tamil Nadu State Transport Corporation (Kovai) Limited
Erode Region

2.The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust
Thiruvalluvar House
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