



WEB COPY



WP.Nos.28145 & 28150 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.Nos.28145 & 28150 of 2023

P.Mani

.. Petitioner in W.P.No.28145 of 2023

B.Dakshinamoorthy

.. Petitioner in W.P.No.28150 of 2023

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

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representations of the petitioners dated 07.08.2023 and 05.08.2023 respectively and to pay interest at the rate of 10% for the late payment of gratuity amount and 12% interest for other legal dues namely computation amount, leave wages and P.F.amount with interest and award costs.

In both cases

For Petitioner : Mr.S.Ravi

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

COMMON ORDER



WP.Nos.28145 & 28150 of 2023

These Writ Petitions have been filed seeking to direct the respondents to consider the representations of the petitioners dated 07.08.2023 and 05.08.2023 respectively and to pay interest at the rate of 10% for the late payment of gratuity amount and 12% interest for other legal dues namely computation amount, leave wages and P.F.amount with interest and award costs.

2. It is the case of the Writ Petitioners that they retired from their service on 30.06.2022 and 31.07.2018 respectively. The grievance of the petitioners are that interest for the belated payment of Gratuity, computation amount, leave wages and P.F.amount are not paid. In this regard, the petitioner have given representations to the respondents on 07.08.2023 and 05.08.2023 respectively, 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



WP.Nos.28145 & 28150 of 2023

release the eligible amount to the petitioner.

WEB COPY

5. 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, 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, these Writ Petitions are disposed of. No costs.

27.09.2023

dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

N.SATHISH KUMAR, J.



WP.Nos.28145 & 28150 of 2023

dhk

WEB COPY

To

1.The Managing Director
The Tamil Nadu State Transport
Corporation (Villupuram) Limited
No.1/137, Salamedu
Vizhupuram – 605 602

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

WP.Nos.28145 & 28150 of 2023

27.09.2023