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W.P.No.28577 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

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- 1.R. Rajendran
- 2.J. Swaminathan
- 3.S. Natarajan
- 4.V. Jayachandran
- 5.K. Govindasamy
- 6.S. Devaraj
- 7.M. Abdul Sarthar
- 8.M. Rajendran
- 9.M. Dhanapal
- 10.C. Nedumananji
- 11.R. Manickavel
- 12.B. Paranthaman
- 13.K. Pandu

... Petitioners

***Vs.***

- 1.The Managing Director,  
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,  
No.3/137, Salamedu, Vazatha Reddy PO,  
Villupuram – 605 602.



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2.The General Manager,  
Tamil Nadu State Transport  
Corporation (Villupuram) Ltd.,  
Villupuram Region,  
Villupuram – 636 141.

3.The Administrator,  
Tamil Nadu State Transport  
Corporation Employees' Pension Trust,  
No.2, Pallavan Salai,  
Chennai – 600 002.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary, Provident Fund and commutation of pension amount to the petitioners.

For Petitioners : Mr.S.T. Varadarajulu

For Respondent : Mr.R. Vekatesaperumal  
Standing Counsel [R1 & R2]

Mr.C.S.K. Sathish,  
Standing Counsel [R3]

### **ORDER**

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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2. The petitioners herein had retired from service between the year 2018-2022 on reaching the age of superannuation and on voluntary retirement. However, their terminal benefits came to be settled belatedly and the respondents have not paid the interest for the belated payments, for which the petitioners have given representations on 16.08.2023, 27.07.2023, 09.08.2023, 17.07.2023, 24.07.2023, 12.07.2023, 03.07.2023, 21.07.2023 and 19.07.2023 respectively, which are yet to be considered.

3. 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. In this background, this Court is of the view that the petitioners would be entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.



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4. In the light of the above observations, there shall be a direction to the respondents herein, to pay interest at the rate of 4% per annum to each of the petitioners on the belated payment of the terminal benefits from the date of the petitioners' retirement till the date of actual payment, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

**03.10.2023**

Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

***Sni/Hvk***



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To

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**M.S.RAMESH,J.**

*Sni*

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