



WEB COPY



W.P.No.28535 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.28535 of 2023

1.B. Murthy

2.Paulraj

3.R. Jeevananthaprabhu

4.N. Albert Vincer

... Petitioners

Vs.

1.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Anna Salai,
Chennai – 600 041.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund 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 the interest @ 10% for the belated payment of terminal benefits such as P.F, Gratuity, Leave Salary and commutation of pension amount to the petitioners.



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For Petitioners : Mr.S.T. Varadarajulu

For Respondent : Mr.R. Balaji,
Standing Counsel [R1]

Mr.C.S.K. Sathish,
Standing Counsel [R2]

ORDER

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

2. The first petitioner herein had retired from service on 30.06.2022 on reaching the age of superannuation and the petitioners 2 to 4 had retired from service on 31.05.2022 and 30.06.2022 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 18.08.2023, 28.08.2023, 21.08.2023 and 02.08.2023 respectively, which are yet to be considered.



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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.

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 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

Neutral Citation: Yes/No

Sni/Hvk



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M.S.RAMESH,J.

Sni

To

1.The Managing Director,
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Chennai – 600 041.

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