



W.P.No.28526 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.28526 of 2023

1.R.Senguttuvan
2.P.Pandiyan
3.G.Aganitham
4.D.Muthuvelan
5.G.Perumal

...Petitioners

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Kandamanadi P.O.,
Villupuram - 605 401, Villupuram District.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore - 607 002.

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

...Respondents



W.P.No.28526 of 2023

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 at 10% for the belated payment of Provident Fund, Gratuity, Leave Salary and Commutation of Pension amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu
For R1 & R2 : Mr.R.Venkatesa Perumal,
Standing Counsel
For R3 : Mr.C.S.K.Sathish,
Standing Counsel

ORDER

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

2. The petitioners herein had retired from service in the years 2021 and 2022 on reaching the age of superannuation. 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, which are yet to be considered.



W.P.No.28526 of 2023

WEB COPY

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 first respondent 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

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

hvk



WEB COPY



W.P.No.28526 of 2023

M.S.RAMESH,J.

hvk

To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Kandamanadi P.O.,
Villupuram - 605 401, Villupuram District.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore - 607 002.
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai - 600 002.

W.P.No.28526 of 2023

03.10.2023