



WEB COPY



W.P.No.29059 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29059 of 2023

K.Lokanathan

...Petitioner

Vs.

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

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Anna 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 petitioner interest at the rate of 18% per annum for the period of delay from 01.06.2022 to 30.05.2023, in paying the amounts towards his terminal and pension benefits namely EPF Employee's Contribution, Gratuity, Encashment of Leaves/Already Surrendered Earned Leaves and Commutated value of Pension.



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For Petitioner : Mr.V.Ajay Khose
For R1 : Mr.M.Murali Vinodh,
Standing Counsel
For R2 : 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 petitioner herein had retired from service on 31.05.2022 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly on 30.05.2023 and the respondents have not paid the interest for the belated payments. In this regard, the petitioner has given a representation on 16.08.2023, which is 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 petitioner would be



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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 petitioner's retirement till the date of actual payment, i.e. from 31.05.2022 to 30.05.2023, 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.

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kovai) Ltd.,
Erode Region, Erode.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
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