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W.P.No.30198 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30198 of 2023

T.C.M. Kasim

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Trust,
Thiruvalluvar House, 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 to the petitioner at the rate of 6% per annum for the belated payment of retirement benefits on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits, within a specified time.

For Petitioner : M/s.S. Vasanthi



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For Respondents : Mr.R. Venkatesaperumal,
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 petitioner herein had retired from service on 30.04.2011, on attaining the age of superannuation. However, his terminal benefits came to be settled belatedly and the respondents have not paid the interest for the belated payments, for which the petitioner has given representation on 14.07.2023, 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 6% per annum. In this background, this Court is of the view that the petitioner would be entitled for interest at the rate of 6% per annum on the belated payment



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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 6% per annum on the belated payment of the terminal benefits from the date of the petitioner's 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.

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Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

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 (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Trust,
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