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W.P.No.29915 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29915 of 2023

S. John Nelson

... Petitioner

Vs.

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

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 interest @ 10% for the belated payment of Gratuity, Leave Salary and commutation of pension amount to the petitioner.

For Petitioner : Mr.S.T. Varadarajulu

For Respondents : Mr.R. Venkatesh Perumal,
Standing Counsel [R1]



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W.P.No.29915 of 2023

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 31.05.2019 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly and the respondents have not paid the interest for the belated payment, for which the petitioner has given representation on 15.09.2023, 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 entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.



W.P.No.29915 of 2023

WEB COPY

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 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.

16.10.2023

Index: Yes/No
Speaking order/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

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To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Villupuram,
Villupuram District – 605 602.
2. The Administrator,
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M.S.RAMESH,J.

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