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W.P.No.30174 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.30174 of 2023

Thiru.D. Harikrishnan T.M.(Retired) St.No-13023 ... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu, Varuthareddy Post,
Villupuram – 605 602. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay the difference in payment of Leave Salary, difference in wages between the date of settlement came into effect and date of retirement and contribution of retirement benefits scheme together with interest @ 4% per annum in terms of the 13th wage settlement made on 04.01.2018 to the petitioner from the date of his retirement (31.08.2017) to till the date of actual disbursement by following the order passed in WP.No.23447 of 2023 dated 10.08.2023.



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For Petitioner : Mr.V.S. Jagadeesan

For Respondent : Mr.R. Venkatesaperumal,
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 31.12.2017 on reaching the age of superannuation. However, his terminal benefits came to be settled after a lapse of one year. Subsequently, in view of the wage settlement arrived, the petitioner had received a sum of Rs.27,391/- towards the difference in payment of gratuity with interest. However, the difference in other terminal benefits have not been settled, for which the petitioner has given a representation on 03.10.2023, 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



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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 of the terminal benefits.

4. In the light of the above observations, there shall be a direction to the respondent herein, to pay the difference in the terminal benefits claimed by the petitioner as per the 13th wage settlement, together with 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.

18.10.2023

Speaking/Non-speaking Order

Index: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu, Varuthareddy Post,
Villupuram – 605 602.

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