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W.P.No.31236 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31236 of 2023

D.Ramkumar

...Petitioner

-Vs-

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

2. The General Manager,
Tamil Nadu State Transport Corporation
(VPM) Ltd., Vellore Region, Rangapuram
Vellore 632 009.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents to disburse the leave encashment benefits to the Petitioner which he was entitled for the period of 08/2018 & 08/2019 with interest at the rate of 8% per annum from the said date of entitlement to till the date of actual disbursement within a time limit to the stipulated by this Court.

For Petitioner : Mr.J.Lakshminarayanan

For Respondents : Ms.S.Pavithra
Standing Counsel



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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, who was serving as Traffic Inspector under the respondent Corporation, had retired from service on 29.02.2020 on reaching the age of superannuation. However, his leave encashment benefits of Rs.26,734/- for the period 08/2018 and Rs.30,500/- for the period 08/2019 have not been disbursed. The petitioner had given a representation on 05.07.2023, seeking for interest on the belated payment of the retirement benefits, 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 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 to the petitioner, from the date of his retirement till the date of actual disbursement, within a period of four 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.

01.11.2023

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Index: Yes/No

Internet: Yes/No

sr

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
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Villupuram 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation
(VPM) Ltd., Vellore Region, Rangapuram

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M.S.RAMESH,J.

SR

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