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W.P.No.30474 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30474 of 2023

K.Purushothaman

...Petitioner

Vs.

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

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office,
Ponnerikkarai, Karapettai,
Chennai-Bangaluru Highway,
Kancheepuram - 631 552.

...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 to the belated paid Provident Fund and Service Gratuity at the rate of 4% per annum for 74 months of delayed payment in the light of the judgement passed by this Court on 03.07.2023 in W.P.No.19221 of 2023.



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For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal
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 31.05.2017 on reaching the age of superannuation. However, his terminal benefits, i.e., Provident Fund and Service Gratuity, came to be settled belatedly on 03.03.2021 and 24.08.2023 respectively and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondents 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 employee would be entitled for interest at the rate of 6% per annum. In this background, this Court is of the view that if the respondents are



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directed to pay interest on the belated payment of the terminal benefits of the petitioner, the ends of justice could be secured.

4. In the light of the above observations, there shall be a direction to the first respondent herein to settle the interest amount 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.

20.10.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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