



W.P.No.30477 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.30477 of 2023

A.Prabu

...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.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension 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



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pay interest to the belated paid Provident Fund, Leave Liability, Service Gratuity, retirement compensation and commutation of pension amount at the rate of 4% per annum for 21 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.

For Petitioner	: Mr.N.Ishak
For R1 & R2	: Mr.R.Venkatesa Perumal Standing Counsel
For R3	: Mr.C.S.K.Sathish, 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 30.06.2021 on voluntary retirement. However, his terminal benefits came to be settled belatedly on 31.03.2023 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondents on 19.09.2023, which is yet to be considered.



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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 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, i.e., from 30.06.2021 to 31.03.2023, 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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Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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