



W.P.No.31928 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31928 of 2023

G.Nagarajan

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation
(Salem) Ltd., Rep.by its Managing Director
No.12, Ramakrishna Road, Salem-7.

2.The General Manager
Tamil Nadu State Transport Corporation (Salem)
Limited., Dharmapuri Region, Bharathipuram
Dharmapuri.

3.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme, 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 disburse the interest for belated payment of Provident Fund, Gratuity, Commutation Amount, Earned Leave Salary Amount, Welfare Amount, IRT Amount and consequently direct the respondents to pay the unsettled benefits of leave encashment, ERBS amount and six days salary along with interest within the stipulated time as may be fixed by this Hon'ble Court.



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For Petitioner : Mr.J.Pradeep
For Respondent : Mr.K.Raja, Standing Counsel - for R1 & R2
Mr.C.S.K.Sathish, Standing Counsel-for R3

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 30.06.2019 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly on 22.01.2021 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondents on 12.10.2023, 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 directed to pay interest on the belated payment of the terminal benefits of the petitioner,



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the ends of justice could be secured.

4. In the light of the above observations, there shall be a direction to the respondents 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.

08.11.2023

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

KST

To

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(Salem) Ltd., Rep.by its Managing Director
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M.S.RAMESH,J.

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