



W.P.No.31427 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31427 of 2023

S. Karunamoorthy

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Vazhuthareddy,
Villupuram – 605 602.

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

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 pay the interest amount, for the petitioner's delayed payment of Gratuity



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amount, Commutation amount and Encashment of Leave amount with 6% interest per annum till the date of payment, as per the petitioner's representation dated 16.08.2023.

For Petitioner : Mr.R. Anbalagan

For Respondents : Mrs.Pavithra,
Standing Counsel [R1 & R2]

Mr.C.S.K. Sathish,
Standing Counsel [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 31.03.2020 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly on 19.06.2021 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given representation to the respondents on 16.08.2023, which is yet to be considered.

3. This Court, in various decisions, have already taken a view that



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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 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.

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Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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M.S.RAMESH,J.

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To

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Villupuram – 605 602.
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