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W.P.No.31433 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.31433 of 2023

C. Madhialagan

... 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.,
Thiruvannamalai Region,
Thiruvannamalai – 606 604.

3.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Kanchipuram Region,
Karaipettai, Kanchipuram – 631 552.

4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... Respondents



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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 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 25.10.2023.

For Petitioner : Mr.R. Anbalagan

For Respondents : Mrs.Pavithra,
Standing Counsel [R1 to R3]

Mr.C.S.K. Sathish,
Standing Counsel [R4]

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 30.06.2022. However, his terminal benefits came to be settled belatedly on 21.06.2023 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given representation to the respondents on 25.10.2023, 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 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.

02.11.2023

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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