



W.P.No.31645 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31645 of 2023

R.Mani

... Petitioner

Vs.

1.The Managing Director,
State Express Transport Corporation TN Ltd.,
Pallavan Salai,
Chennai - 600 002.

2.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 pay interest @ 6% interest for the belated payment of terminal benefits namely Gratuity, Encashment of leave salary, commutation of pension, provident fund amount and RBS amount to the petitioner for the period from 30.06.2022 (date of retirement) to till the date of payment by following the order passed in W.P.No.5172 of 2023 dated 22.02.2023.



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For Petitioner : Mr.V.S.Jagadeesan

For Respondents : Mr.S.Sivasubramani,
Standing Counsel [R1]

Mr.C.S.K.Sathish,
Standing Counsel [R2]

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 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly on 23.05.2023 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given representations to the respondents on 13.10.2023 and 20.10.2023, which are 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



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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, 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.

06.11.2023

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

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M.S.RAMESH,J.

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To

1.The Managing Director,
State Express Transport Corporation TN Ltd.,
Pallavan Salai,
Chennai - 600 002.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
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