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W.P.No.31817 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.31817 of 2023

V.Nagarajan

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay interest to the petitioner at the rate of 12% per annum for the belated payment of his PF, Gratuity & earned leave salary with interest at the rate of 12 percent within a specified time, as may be stipulated by this Court.

For Petitioner : Mr.Ajoy Khose

For Respondent : Mr.K.Raja, Standing Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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2. The petitioner herein had retired from service on 31.07.2022 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly on 22.05.2023 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondents on 19.06.2023, 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, 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.



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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

The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd., No.12, Ramakrishna Road, Salem-7.



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M.S.RAMESH,J.

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