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W.P.No.32464 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32464 of 2023

K. Pandian

... Petitioner

Vs.

1.The Management of Tamil Nadu

State Transport Corporation (Salem) Ltd.,
Salem Region,
Rep. by its Managing Director,
Salem.

2.The Administrator,

Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai – 2.

... 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 petitioner the interest at the rate of 18% per annum, for the period of delay from 01.03.19 to 22.09.19, in paying the amounts paid towards his terminal benefits namely EPF Employee's Contribution, Gratuity, Encashment of leaves and commuted value of pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.



W.P.No.32464 of 2023

For Petitioner : Mr.V. Ajoy Khose
For R1 : Mr.M. Murali Vinodh,
Standing Counsel
For R2 : Mr.C.S.K. Sathish,
Standing Counsel

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 28.02.2019, on attaining the age of superannuation. However, his terminal benefits came to be settled belatedly on 22.09.2019 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given representation to the respondents on 17.10.2023, 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



W.P.No.32464 of 2023

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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.

17.11.2023

Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

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W.P.No.32464 of 2023

M.S.RAMESH,J.

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To

- 1.The Managing Director,
Management of Tamil Nadu
State Transport Corporation (Salem) Ltd.,
Salem Region,
Salem.
- 2.The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
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W.P.No.32464 of 2023

17.11.2023