



WEB COPY



W.P.No.191 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.01.2023**

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.191 of 2023

S.Devaraj

... Petitioner

Vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Cuddalore Region,
Cuddalore.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employee's Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to disburse the payments relating to belated payment of interest amount of provident fund, Gratuity, Earned Leave Salary, Commutation



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amounts and other benefits like, Social Welfare Scheme amount, ERBS, last month 10 days salary and IRT Share amount with effect from 01.04.2020.

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For Petitioner : Mr.N.Desinghu

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel
for R1 and R2

Mr.C.S.K.Sathish
Standing Counsel
for R3

ORDER

The grievance of the petitioner in this Writ Petition is that his employer, viz., the respondent transport corporation, has paid his retirement benefits belatedly and therefore, they are liable to pay interest for the said belated payment.

2. It is settled law as laid down by various decisions of this Court that, in case of delay in payment of retirement benefits, the employer is liable to pay interest at the rate of 4% per annum.

3. The petitioner has given a representation on 05.12.2022, requesting for payment of interest.



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4. No prejudice would be caused to the respondent transport corporation if a direction is issued to them to pay interest at the rate of 4% per annum to the petitioner, in case they have paid the retirement benefits to the petitioner, belatedly.

5. For the foregoing reasons, this Court directs the respondent transport corporation to consider the petitioner's representation dated 05.12.2022, seeking payment of interest for the belated payment of his retirement benefits, in the light of the above mentioned observations, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

05.01.2023

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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W.P.No.191 of 2017

To

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Villupuram - 605 602.

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ABDUL QUDDHOSE. J.,

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