



W.P.No.32720 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32720 of 2023

&

W.M.P.No.32329 of 2023

1. C.Veluswamy
2. K.Dorairaj

...Petitioners

Vs.

1. The Managing Director
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road
Coimbatore – 43
2. The General Manager
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road
Erode – 638 001
3. The Administrator
Tamil Nadu State Transport Corporation Ltd.,
Thiruvalluvar House, 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 interest for the belated payment of Provident fund, Gratuity, Earned



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Leave and Earned Leave Surrender at the rate of 12% per annum, within a specified time as may be fixed by this Court.

For Petitioner : Mr.N.Senthil Kumar

For Respondent : Mr.M.Murali Vinoth
Standing Counsel for R1 and R2

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

ORDER

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

2. The first and second petitioner had retired from service on 31.07.2015 and 31.05.2015 respectively on superannuation. However, their terminal benefits came to be settled belatedly but the respondents have not paid interest for the belated payment. In this regard, the petitioners have given representations to the respondents on 04.10.2023 and 12.10.2023, 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 respondent is 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 petitioners' 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. Consequently, connected miscellaneous petition is closed.

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



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To

WEB COPY

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M.S.RAMESH,J.

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