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W.P.No.32704 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.32704 of 2023

N.M.Subramaniam

...Petitioner

Vs.

1. Tamil Nadu State Transport Corporation (Salem) Ltd.,
Rep. By its The Managing Director
No.12, Ramakrishna Road
Salem – 7

2. Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Rep. By its Administrator
Thiruvalluvar Illam, 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 the petitioner interest at the rate of 18% per annum for the belated payment of his PF, gratuity, earned leave salary, commuted value of pension at the rate of 18% within a specified time.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.K.Raja



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Standing Counsel for R1

Mr.CSK.Sathish

Standing Counsel for 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 30.04.2019 on superannuation. However, his terminal benefits came to be settled belatedly on 22.01.2021 and the respondent has not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondent 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 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



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to the 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, i.e., from 30.04.2019 to 22.01.2021, 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.

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Index: Yes/No

Speaking order/Non-speaking order

gpa

To

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M.S.RAMESH,J.

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