



W.P.No.33559 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.33559 of 2023

N.Gunasekaran

...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 to direct the respondent to pay interest at the rate of 12% per annum for the belated payment of petitioner's Provident Fund, Gratuity and Earned Leave Salary within the time frame to be fixed by this Court.

For Petitioner : Mr.R.Krishnasamy

For Respondent : Mr.K.Raja
Standing Counsel

ORDER

With the consent of both the parties, this writ petition is taken up for final



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disposal at the admission stage itself.

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2. The petitioner herein, who was serving as Conductor under the respondent Corporation, had retired from service voluntarily on 30.06.2022. However, his provident fund, leave salary and gratuity were paid only after 630 days. leave Therefore, the petitioner had given a representation on 19.06.2023, seeking for interest on the belated payment of the retirement benefits, 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 the petitioner would be entitled for interest at the rate of 6% per annum on the belated payment of the terminal benefits.

4. In the light of the above observations, there shall be a direction to the respondent herein to pay interest at the rate of 6% per annum on the belated payment of the terminal benefits to the petitioner, from the date of his retirement



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till the date of actual disbursement, within a period of four 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.

30.11.2023

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Index:Yes/No
Internet:Yes/No
sr

To

Tamil Nadu State Transport Corporation (Salem)Ltd.,
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M.S.RAMESH,J.

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