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W.P.No.33071 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33071 of 2023

S.Durairaj

...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
Standing Counsel for R1
Mr.CSK.Sathish
Standing Counsel for R2



W.P.No.33071 of 2023

WEB COPY

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 30.06.2022 on superannuation. However, his terminal benefits came to be settled belatedly on 30.05.2023 and the respondents have not paid interest for the belated payment. In this regard, the petitioner has given a representation to the first 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 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%



W.P.No.33071 of 2023

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 30.06.2022 to 30.05.2023, 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.

23.11.2023

Index:Yes/No

Speaking order/Non-speaking order

gpa

To

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

2. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar Illam, Pallavan Salai
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W.P.No.33071 of 2023

M.S.RAMESH,J.

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W.P.No.33071 of 2023

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