



WEB COPY



W.P.No.33167 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33167 of 2023

&

W.M.P.No.32860 of 2023

1. C.M.Lakshmipathy
2. L.Iruthaya Raj
3. E.Anandan
- 4.S.Ganapathi
5. E.L.Ravi
- 6.G.Kumar
- 7.K.S.Jayaram
- 8.S.Selvam
- 9.T.Sathiyarayanan

...Petitioners

Vs.

1. The Managing Director
Metropolitan Transport Corporation (Chennai) Ltd.,
No.2, Anna Salai
Chennai – 600 002

2. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
No.2, Pallavan Salai
Chennai – 600 002

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



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India praying to issue a Writ of Mandamus, directing the respondents to pay interest @ 10% for the belated payment of terminal benefits such as Gratuity, Leave Salary, P.F and Commutation of Pension amount to the petitioners.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mr.A.Vinothraj
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 petitioners herein had retired from service on 30.06.2022, 31.03.2020, 31.05.2022, 31.03.2020, 31.10.2022, 30.06.2022, 31.05.2022, 30.06.2022 and 31.05.2018 on attaining the age of superannuation, however, their terminal benefits came to be settled belatedly on 23.05.2023, 02.06.2021, 23.05.2023, 02.06.2021, 23.05.2023, 23.05.2023, 23.05.2023. 23.05.2023 and 31.08.2019 and the respondents have not paid interest for the belated payment. In this regard, the petitioners have given representations on various dates on



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25.09.2023, 05.10.2023, 12.10.2023, 19.10.2023, 26.10.2023, 30.10.2023, 31.10.2023 and 01.11.2023, 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 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 petitioners, 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.

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Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

gpa

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