



WEB COPY



W.P.No.7 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.01.2023

Coram:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.7 of 2023

A.Mohammed Tajudeen

... Petitioner

Vs.

1.M/s.State Express Transport Corporation,
rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

2.M/s.Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
rep. by its Administrator,
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to settle a sum of Rs.25,028/- towards 4% interest for the belated settlement of terminal benefits by considering the representation of the petitioner dated 16.12.2022.

For Petitioner : Mr.D.Soundar Raj

For Respondents : Mr.S.Sivasubramani, SETC



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ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2.This writ petition has been filed for a Mandamus seeking for a direction to the respondents to settle a sum of Rs.25,028/- towards 4% interest for the belated settlement of terminal benefits by considering the representation of the petitioner dated 16.12.2022.

3.The grievance of the petitioner in this writ petition is that he has been paid his retirement benefits by the respondent Transport Corporation, where he was an employee, belatedly and therefore, the respondent Transport Corporation is liable to pay 4% interest to him for the belated payment. According to the petitioner, the said amount is Rs.25,028/-.

4.This Court has consistently held in its various decisions that in case of belated payment of the terminal benefits by the employer, the employer is liable to pay interest at the rate of 4% per annum. The petitioner has given a representation on 16.12.2022 to the respondent Transport Corporation



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requesting them to pay interest to him at the rate of 4% per annum amounting to Rs.25,028/- on account of the belated payment of his retirement benefits. Since the representation has not been considered till date, he has filed this writ petition.

5.Heard Mr.D.Soundar Raj, learned counsel for the petitioner and Mr.S.Sivasubramani, learned Standing Counsel, who accepts notice on behalf of the respondents.

6.No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered, on merits and in accordance with law, within a time frame to be fixed by this Court, after giving due consideration to the fact that it is a settled law as laid down in various decisions of this Court that the employer is liable to pay interest at the rate of 4% per annum for the belated payment of the retirement benefits.



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ABDUL QUDDHOSE, J

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7.For the foregoing reasons, this Court directs the first respondent to pass final orders, on merits and in accordance with law on the petitioner's representation dated 16.12.2022 seeking for payment of interest at the rate of 4% per annum, amounting to Rs.25,028/- on account of the belated payment of his terminal benefits, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid direction, this writ petition is disposed of. No costs.

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Index:Yes/No

To

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