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W.P.No.33606 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33606 of 2023

1.P.Paramanandan
2.S.Annamalai
3. V.Karunanidhi
4.J.Sugumaran
5.K.Ragupathy

...Petitioners

Vs.

1. The Managing Director
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu
Villupuram – 605 602

2. The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Cuddalore Region
No.2, Imperial Road
Cuddalore
Cuddalore District – 607 002

3. 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 to the petitioners at the rate of 10% per annum for the belated payment of Gratuity, PF, Leave Salary and Commutation of Pension.

For Petitioners : Mr.S.T.Varadarajalu

For Respondents : Mr.R.Venkatesa Perumal
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 various dates on attaining the age of superannuation. However, their terminal benefits came to be settled belatedly on 23.05.2023 and the respondents have not paid interest for the belated payment. In this regard, the petitioners have given representations to the respondents on 09.09.2023, 10.09.2023, 11.09.2023, 23.09.2023 and 26.09.2023, 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



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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.

01.12.2023

Index: Yes/No

Speaking order/Non-speaking order

gpa



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M.S.RAMESH,J.

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