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W.P.No.33529 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.33529 of 2023

D.Kumar

...Petitioner

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 India praying to issue a Writ of Mandamus, directing the respondents to pay interest to the petitioner at the rate of 10% per annum for the belated payment of gratuity, Leave Salary and commutation of pension to the



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petitioner.
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For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel for R1& R2

Mr.CSK.Sathish
Standing Counsel for R3

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 29.02.2020 on attaining the age of superannuation. However, his terminal benefits came to be settled belatedly on 02.06.2021 and the respondent has not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondent on 04.10.2023, 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



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this background, this Court is of the view that if the respondent is 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 respondent 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 petitioner's retirement till the date of actual payment, i.e., from 29.02.2020 to 02.06.2021, 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

gpa



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M.S.RAMESH,J.

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