



W.P.No.33705 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.33705 of 2023

K.M.Visvanathan

...Petitioner

-Vs-

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

2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd., Vellore Region,
Rangapuram, Vellore 632 009.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai,
Chennai 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents to pay interest to the petitioner at the rate of 8% per annum for the belated payment of his Surrender Leave Salary, Gratuity and Commutation amount within a time limit to be



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stipulated by this Court.

For Petitioner : Mr.J.Lakshminarayanan

For Respondents : Mr.M.Bindran
Addl. Govt. Pleader

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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, who was serving as Conductor under the respondent Corporation, had retired from service on 30.06.2018 on attaining the age of superannuation. However, his surrender leave salary, gratuity and commutation amount were paid with a delay of 446 days. Therefore, the petitioner had given a representation on 29.09.2023, seeking for interest on the belated payment of the retirement benefits, 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



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be entitled for interest at the rate of 6% per annum. In this background, this Court is of the view that the petitioner would be entitled for interest at the rate of 6% per annum on the belated payment of the terminal benefits.

4. In the light of the above observations, there shall be a direction to the respondent herein to pay interest at the rate of 6% per annum on the belated payment of the terminal benefits to the petitioner, from the date of his retirement till the date of actual disbursement, within a period of four 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.

05.12.2023

Index:Yes/No
Internet:Yes/No
sra

To

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

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M.S.RAMESH,J.

(sra)

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