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W.P.No.33753 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.33753 of 2023

S.Ravichandran

...Petitioner

Vs.

1. The Managing Director
Tamilnadu State Transport Corporation (VPM) Ltd.,
3/136, Salamedu, Valudhareddy Post
Villupuram – 605 602

2. The Administrator
Tamilnadu State Transport Corporation
Employees Post Retirement Welfare Fund Trust
Tiruvalluvar House, 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 8% per annum for the belated payment of retirement benefits for the period of 09.01.2021 to 01.12.2022 i.e, 602 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits within a specified time.



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For Petitioner : Ms.S.Vasanthi

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 petitioner herein had voluntarily retired from service on 09.01.2021. However, his terminal benefits came to be settled belatedly on 01.12.2022 and the respondent has not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondent on 26.10.2023, 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 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



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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 09.01.2021 to 01.12.2022, 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

To

1. The Managing Director
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Villupuram – 605 602
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M.S.RAMESH,J.

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