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W.P.No.35820 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.35820 of 2023

P.S. Rajendran

... Petitioner

Vs.

Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Rep. by its Managing Director,
Mettupalayam Road,
Coimbatore – 43.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay the petitioner interest for the belated payment of the petitioner's terminal benefits, namely the PF, gratuity and earned leave salary and to pay the petitioner's wages towards 15 days of earned leave surrendered by the petitioner while he was in service, together with interest at the rate of 12% for the above benefits, within a specified time frame, as may be fixed by this Court.

For Petitioner : Mr.R. Krishnaswamy

For Respondent : Mr.A. Vinothraj
Standing Counsel

ORDER



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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 30.11.2018. However, his terminal benefits came to be settled belatedly on 20.09.2019 and the respondent has not paid interest for the belated payment. In this regard, the petitioner has given a representation to the respondent on 12.10.2023, which is yet to be considered.

3. Though the petitioner has also sought for disbursal of wages towards 15 days of earned leave surrendered by him while he was in service, in this Writ Petition, such request requires to be work out by making a representation before the concerned authority only.

4. 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.

5. 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, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

22.12.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Mettupalayam Road,
Coimbatore – 43.

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