



WEB COPY



W.P.No.35803 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.35803 of 2023

1.R.M. Kittu

2.K. Periasamy

3.R. Vasudevan

... Petitioners

Vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode – 638 001.

3.The Administrator,
Tamil Nadu State Transport Corporation EPF Trust,
Thiruvalluvar House, Anna Salai,
Chennai – 2.

... 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 for the belated payment of Provident Fund, Gratuity and



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Encashment of Earned Leave, Commuted value of pension, Surrender Leave and at the rate of 12% per annum, within a specified time, as may be fixed by this Court.

For Petitioners : Mr.N. Senthil Kumar

For R1 & R2 : Mr.M. Murali Vinodh,
Standing Counsel

For R3 : Mr.C.S.K. Sathish,
Standing Counsel

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 31.10.2021, 31.12.2017 and 31.05.2019 respectively. However, their terminal benefits came to be settled belatedly on 13.03.2023, 03.11.2018 and 27.01.2021 and the respondents have not paid interest for the belated payment. In this regard, the petitioners have given representations to the respondents on 16.10.2023, 20.11.2023 and 24.11.2023, which are yet to be considered.



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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 respondents are 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 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.

22.12.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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M.S.RAMESH,J.

Sni

To

- 1.The Managing Director,
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