



W.P(MD)No.5249 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5249 of 2023

A.James Elango

... Petitioner

Vs.

The Management of Tamilnadu State Express
Transport Corporation Limited,
Rep. by its General Manager,
Pallavan Salai, Chennai – 2.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay interest at the rate of 12% per annum, for the period of delay from the petitioner's date of retirement (31.08.2020) to till date of disbursement (08.12.2022) of amount paid towards the petitioner's terminal and pension benefits namely EPF Employee's Contribution, Gratuity and Encashment of Earned/Sick Leave and other monetary benefits within a time frame as may be fixed by this Court without affecting the petitioner's right to claim balance amounts towards those benefits.

For Petitioner : Mr.R.Murugan

For Respondent : Mr.S.C.Herold Singh,
Standing Counsel.



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ORDER

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Heard the learned counsel on either side.

2.The writ petitioner joined the respondent corporation as Tradesman in the year 1986. He retired from service on 31.08.2020. However, his terminal benefits were settled on various dates and finally on 08.12.2022.

3.It is well settled that for such belated settlement, the retired employee is entitled to interest. I, therefore, direct the respondent Corporation to pay the interest to the writ petitioner computed at the rate of 6% per annum on the belated disbursement from the date of retirement till date of settlement. The interest amount shall be paid within a period of twelve weeks from the date of receipt of a copy of this order.

4.This writ petition is allowed accordingly. No costs.

10.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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