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W.P.Nos.343 & 347 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.343 & 347 of 2024

K.Shajahan Beig ...Petitioner in W.P.No.343 of 2024

D.Ramajayam ...Petitioner in W.P.No.347 of 2024

-Vs-

1.The Managing Director
Tamil Nadu State Transport Corporation [VPM] Ltd.,
No.3/136, Salamedu, Valudhareddy Post
Villupuram – 605 602.

2.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Trust,
Tiruvalluvar House, Pallavan Salai
Chennai – 600 002. ...Respondents in both W.P.s

Prayer in W.P.No.343 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay the interest to the petitioner at the rate of 8% p.a for the belated payment of retirement benefits for the period of 31.07.2022 to 30.05.2023 i.e.304 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits, within a specified time.



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Prayer in W.P.No.347 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay the interest to the petitioner at the rate of 8% p.a for the belated payment of retirement benefits for the period of 30.06.2022 to 30.05.2023 i.e.335 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits, within a specified time.

For petitioner in both W.P.s : Mrs.S.Vasanthi

For respondent-1 in both W.P.s: Mr.Venkatesa Perumal
Standing Counsel

For respondent-2 in both W.P.s: Mr.C.S.K.Sathish

ORDER

These writ petitions have been filed for direction directing the respondents to pay appropriate interest to the petitioners for the delayed sanction and disbursement of retirement benefits.

2. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents and perused the materials available on record.

3. In identical issues, this Court has passed various orders,



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justifying the payment of interest to the aggrieved pensioners and in the order dated 13.12.2019 in W.P.(MD).No.26481 of 2019, the following order came to be passed : -

"5. I am not in agreement with the said representation made. There was already a duty cast on the respondent Corporation to pay the terminal benefits on the date of retirement itself and the very fact that the belated disbursement of retirement benefit, had already put the retired employee to serious prejudice, entertaining the present request for disbursement of the interest on the belated payment in installments, could cause further prejudice to the retired employee.

6. In the light of the above observations, there shall be a direction to the respondent / Corporation to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement, till the date of the actual disbursement, as expeditiously as possible and in any event, not before the expiry of three month from the date of receipt of a copy of this order.

4. This Court is of the view that the respondents could be directed



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to pay the interest on the belated payment, at the rate of 6% per annum, as ordered in the above writ petition.

5. In the light of the above findings, there shall be a direction to the respondents herein to pay the interest on the belated payment of the terminal benefits to the petitioners at the rate of 6% per annum, commencing from the date of the retirement, till the date of actual disbursement, within a period of eight weeks from the date of receipt of copy of this order.

6. With the above direction, these Writ Petitions are disposed of.

No costs.

09.01.2024

Index : Yes/No
Internet: Yes/No
gvn



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G.K.ILANTHIRAIYAN,J.
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