



W.P.No.371 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM :

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

W.P.No.371 of 2024

K.Sadasivam

...Petitioner

-Vs-

1.The Managing Director,  
Tamil Nadu State Transport Corporation (Kovai) Ltd.,  
Kovai Division,  
Coimbatore – 43.

2.The General Manager,  
Tamil Nadu State Transport Corporation (Kovai) Ltd.,  
Kovai Division,  
Coimbatore – 43.

3.The Administrator  
Tamil Nadu Transport Corporation Employees  
Pension Trust,  
Thiruvalluvar Illam  
Pallavan Salai  
Chennai -2.

...Respondents



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**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to settle the interest for the belated payment of retirement benefits such as Gratuity, Earned Leave, Commutation of Pension, Provident fund and other retirement benefits payable to the petitioners with 6% rate of interest within the time frame that may be stipulated by this Hon'ble Court.

For petitioner : Mr.N.Sudhagar Nagaraj

For respondents 1 &2 : Mr.C.Gowthama Raj  
Standing Counsel

For respondent 3 : Mr.C.S.K.Sathish

### **ORDER**

This writ petition has been filed for a direction directing the respondents to pay appropriate interest to the petitioner for the delayed sanction and disbursement of retirement benefits.

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



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



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4. This Court is of the view that the respondents could be directed 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 petitioner 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 Petition is disposed of. No costs.

08.01.2024

Index : Yes/No  
Internet: Yes/No  
gvn



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WEB COPY

To

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**G.K.ILANTHIRAIYAN,J.**  
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