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W.P.No.986 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

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

W.P.No.986 of 2024

A.Nithyanandam

... Petitioner

-Vs-

1. The Managing Director,
Tamilnadu State Transport Corporation (Coimbatore) Ltd,
No.37, Mettupalayam Road,
Coimbatore-641 043.

2.The Administrator,
Tamilnadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to pay interest at the rate of 6% per annum for the delayed payment of Gratuity, Employees Provident Fund and Earned leave salary from the date of retirement to till the date of payment made to the petitioner within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Varun Kumar

For R1 : Mr.M.Murali Vinodh

For R2 : Mr.C.S.K.Sathish



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ORDER

This Writ Petition has been filed for direction directing the respondents to pay interest at the rate of 6% per annum for the delayed payment of Gratuity, Employees Provident Fund and Earned leave salary from the date of retirement to till the date of payment made to the petitioner within the time stipulated by this Hon'ble Court.

2. It is the case of the writ petitioner that he joined in the respondent Corporation on 09.07.1985 and had retired from his service on 28.04.2022. It is the grievance of the writ petitioner that the respondent paid retiral benefits viz., Gratuity, Employees Provident Fund and Earned leave salary belatedly without any interest. Hence, he made several representations requesting the respondents to pay interest for retiral benefits viz., Gratuity, Employees Provident Fund and Earned leave salary and other unsettled terminal benefits and the same has not been considered. Hence, this writ petition.

3. It is the contention of the learned counsel for the petitioner that though certain retirement benefits have been paid and the same have been paid belatedly and still other terminal benefits have not been paid. The retirement



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benefits have not been paid on time, which is the last source of income to the retired employee.

4. In such view of the matter, the respondents Corporation is directed to pay 4% interest per annum for the belated payments of retirement benefits paid to the petitioner and also directed to disburse the unpaid terminal benefits, if any, within a period of two months from the date of receipt of a copy of this order, with interest at the rate of 4% per annum for delayed period.

5. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

18.01.2024
(1/3)

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
mn



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G.K.ILANTHIRAIYAN, J.

mn

To

1. The Managing Director,
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Coimbatore-641 043.
- 2.The Administrator,
Tamilnadu State Transport Corporation,
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