



WEB COPY



W.P.No.1463 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

**W.P.No.1463 of 2024**

1. R.Sivasubramani

2. A.Abdul Khadar

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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.

**Prayer:-** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender Value, Commuted Value of Pension at the rate of 12% per annum.



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For Petitioner : Mr.N.Palani Kumar  
For R1 & R2 : Mr.M.Murali Vinoth  
Standing Counsel

**ORDER**

This Writ Petition has been filed for direction directing the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender Value, Commuted Value of Pension at the rate of 12% per annum.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The case of the petitioners is that they had retired from service from the respondents Corporation. However, their terminal benefits came to be settled belatedly and the respondents have not paid any interest for the belated payment. In this regard, the petitioners submitted representation on 29.08.2023 & 13.10.2023 respectively to the the respondents, which are yet to be considered.

4. This Court, in various decisions, have already taken a



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view that in all case 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 petitioners, the ends of justice could be secured.

5. In the light of the above observations, there shall be a direction to the respondents 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 weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

24.01.2024

Internet : Yes  
Index : Yes/No  
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**G.K.ILANTHIRAIYAN, J.**



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