



WEB COPY



W.P.No.1285 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM:

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

W.P.No.1285 of 2024

K.V.Sarathkumar

...Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
3/137, Salamedu,
Villupuram-605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vellore Region,
Rangapuram, Vellore-632 009.

... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the leave encashment benefits to the petitioner which he is entitled for the period of 08/2018 & 08/2019 with interest at the rate of 8% per annum from the said date of entitlement to till the date of actual disbursement within a time to be stipulated.

For Petitioner : Mr.P.Manoj Kumar

For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel



W.P.No.1285 of 2024

ORDER

This Writ Petition has been filed for a direction directing the respondents to disburse the leave encashment benefits to the petitioner which he is entitled for the period of 08/2018 & 08/2019 with interest at the rate of 8% per annum from the said date of entitlement to till the date of actual disbursement within a time to be stipulated.

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

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



W.P.No.1285 of 2024

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 months from the date of receipt of a copy of this order.

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 a copy of this order.



W.P.No.1285 of 2024

6. With the above direction, this Writ Petition stands disposed of.

No costs.

22.01.2024
(2/3)

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
3/137, Salamedu,
Villupuram-605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vellore Region,
Rangapuram, Vellore-632 009.

G.K.ILANTHIRAIYAN. J.



WEB COPY



W.P.No.1285 of 2024

Lpp

W.P.No.1285 of 2024

22.01.2024
(2/3)