



W.P.No.2209 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2209 of 2024

1. N.Parthipan

2. B.Kandan

...Petitioners

-Vs-

1.The Managing Director

Tamilnadu State Transport Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Kandamanadi P.O,
Villupuram District-605 401.

2.The General Manager

TamilNadu State Transport Corporation (Villupuram) Ltd.,
Villupuram Region,
No.3/137, Salamedu, Kandamanadi PO,
Villupuram-605 401.

3.The Administrator,

Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
No.2, Pallavan Salai, Chennai-600 002.

...Respondents



W.P.No.2209 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of Provident Fund, Gratuity, Leave Salary and commutation of pension amount to the petitioners.

For petitioners	: Mr.S.T.Varadarajalu
For respondents – 1 & 2	: Mr.R.Venkatesa Perumal Standing Counsel
For respondent 3	: Mr.C.S.K.Sathish Standing Counsel

ORDER

This writ petition has been filed seeking direction to the respondents to pay interest at the rate of 10% per annum for the belated payment leave salary, Provident Fund, Gratuity and commutation as sought for in the petitioners' representations.

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



W.P.No.2209 of 2024

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.



W.P.No.2209 of 2024

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 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, this Writ Petition is disposed of. No costs.

01.02.2024
(1/2)

Index : Yes/No
Internet: Yes/No
gvn



W.P.No.2209 of 2024

WEB COPY

To

- 1.The Managing Director
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Kandamanadi P.O,
Villupuram District-605 401.
- 2.The General Manager
TamilNadu State Transport Corporation (Villupuram) Ltd.,
Villupuram Region,
No.3/137, Salamedu, Kandamanadi PO,
Villupuram-605 401.
- 3.The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
No.2, Pallavan Salai, Chennai-600 002.



WEB COPY



W.P.No.2209 of 2024

G.K.ILANTHIRAIYAN,J.
gvn

W.P.No.2209 of 2024

01.02.2024
(1/2)