



WEB COPY



W.P.No. 2823 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No. 2823 of 2024

K. Jothivel

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem – 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Bharathipuram,
Dharmapuri.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvallurvar House, Pallavan Salai,
Chennai – 600 002.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the interest for belated payment of Provident Fund, Gratuity, Earned Leave Salary amount, Social Welfare amount and Pension Commutation with interest within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr. J. Pradeep

For Respondents : Mr. K. Raja, for R1 & R2
Standing Counsel
Mr. C.S.K. Sathish, for R3
Standing Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had retired from service on 30.06.2022 on reaching the age of superannuation. However, his terminal benefits came to be settled belatedly and the respondents have not paid interest for the belated payment. In this regard, the petitioner had given a representation to the respondents on 20.01.2024, which is yet to be considered.

3. This Court, in various decisions, have already taken a view that in all cases 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 petitioner, the ends of justice could be secured.



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4.

In the light of the above observations, there shall be a direction to the first respondent herein 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 petitioner's retirement till the date of actual payment, within a period of four weeks from the date of receipt of a copy of this order.

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

08.02.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

To

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BATTU DEVANAND, J.

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