



WEB COPY



W.P.Nos.8028, 8030, 8032,8035 & 8037 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.8028, 8030, 8032, 8035 & 8037 of 2024

- | | |
|-------------------|------------------------------------|
| 1. A.Selvam | ... Petitioner in W.P.8028 of 2024 |
| 2. L.Samyraja | ... Petitioner in W.P.8030 of 2024 |
| 3. P.Rajamanickam | ... Petitioner in W.P.8032 of 2024 |
| 4. K.Palanisamy | ... Petitioner in W.P.8035 of 2024 |
| 5. V.Muruganandam | ... Petitioner in W.P.8037 of 2024 |

-Vs-

- | | |
|---|-----------------------------|
| 1. Tamiladu State Transport Corporation (Salem) Ltd.,
Rep. by its The Managing Director,
No.12, Ramakrishna Road,
Salem-7. | |
| 2. TamilNadu State Transport Corporations
Employees' Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002. | ...Respondents in all W.Ps' |

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay the petitioners interest at the rate of 12% per annum for the belated payment of their Provident Fund, Gratuity, Earned Leave Salary and Commuted Value of Pension, together with interest at the rate of 12% within a specified time as may be fixed by this Hon'ble Court.



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(In all W.Ps')

For petitioners : Mr.V.Ajoy Khose

For respondent 1 : Mr.K.Raja
Standing Counsel

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to pay the petitioners interest at the rate of 12% per annum for the belated payment of their Provident Fund, Gratuity, Earned Leave Salary and Commuted Value of Pension, together with interest at the rate of 12%.

2. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents 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 : -



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"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.



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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, these Writ Petitions are disposed of.

No costs.

22.03.2024

Index : Yes/No
Speaking/Non Speaking Order
Neutral Citation : Yes/No
gvn



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To

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G.K.ILANTHIRAIYAN,J.
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