



W.P.No.8628 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM:

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

W.P.No.8628 of 2024

- 1.S.Chellamuthu
- 2.T.M.Sivaraj
- 3.V.P.Arumugam
- 4.P.R.Dhanasekaran
- 5.S.Ayyasami

...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-600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pay interest for the belated payment of provident fund, gratuity, encashment of earned leave, surrender



W.P.No.8628 of 2024

leave and commuted value of pension, at the rate of 12% per annum, within a specified time as may be fixed by this Court.

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

ORDER

This Writ Petition has been filed for a direction directing the respondents to pay interest for the belated payment of Provident Fund, Gratuity, Encashment of Earned Leave, Surrender Leave, 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 20.09.2023, 06.10.2023, 21.12.2023, 06.02.2024 & 09.02.2024 respectively to the the respondents, which are yet to be considered.



W.P.No.8628 of 2024

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

28.03.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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W.P.No.8628 of 2024

G.K.ILANTHIRAIYAN. J,

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To

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