



WEB COPY



W.P.No.10488 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE MR.JUSTICE D. BHARATHA CHAKRAVARTHY

W.P.No.10488 of 2024

G. Umapathy

... Petitioner

-Vs-

1. The Managing Director
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan House, Anna Salai,
Chennai 600 002.
2. The Senior Deputy Manager,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan House, Anna Salai,
Chennai 600 002.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to pay interest amounts to the petitioner for the belatedly paid Provident Fund, Service Gratuity amount, Leave Liability amount and Commutation of pension amount at the rate of 6% per annum for 12 months of delayed payment in the light of the judgment passed by this Court on 02.02.2024 in W.P.No.2262 of 2024.



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For Petitioner : Mr.N.Ishak
For Respondents : Mr.Vinothraj
Standing Counsel for R1 & R2
Mr.C.S.K.Sathish for R3

ORDER

This Writ Petition has been filed directing the respondents to pay interest amounts to the belatedly paid Provident Fund, Leave Liability, Service Gratuity and Commutation of pension amount to the petitioner at the rate of 6% per annum for 12 months of delayed payment in accordance with the order made by this Hon'ble Court on 02.02.2024 in W.P.No.2262 of 2024.

2. The contention of the learned counsel for the petitioner is that the petitioner had retired from service on 31.05.2022. However, his retiral benefits, viz., Provident Fund, Leave Liability, Service Gratuity and Commutation of pension amount has been paid to the petitioner only on 23.05.2023, after a lapse of 12 months and no interest was paid for the belated payment as per settled law. Hence, he seeks 6% interest for belated payment of retiral benefits.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

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



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cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 6% per annum. Hence, this Court is of the view that the petitioner is entitled for interest at the rate of 6% per annum on the belated payment of the terminal benefits.

5. Accordingly, the first respondent is directed to pay interest at the rate of 6% per annum on the belated payment of the terminal benefits to the petitioner, from the date of his retirement till the date of actual disbursement, within a period of eight weeks from the date of receipt of a copy of this Order.

6. With the above directions, this Writ Petition is disposed of. No costs.

18.04.2024
(5/5)

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
dpq



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D. BHARATHA CHAKRAVARTHY

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To

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