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W.P.No.20075 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2024

CORAM:

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

W.P.No.20075 of 2024

K.Nallasamy

... Petitioner

-Vs-

Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
represented by its Managing Director,
Mettupalayam Road,
Coimbatore – 641 043.

... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to pay him interest for the belated payment of P.F, earned leave salary and Gratuity and to pay him a sum of Rs.18,500/- towards the STERBS (State Transport Employees Retirement Benefit Scheme) which was deducted from his salary for every month, while he was in service, together with interest at the rate of 12 percentage per annum, within a specified time as may be fixed by this Hon'ble Court award costs.

For Petitioner : Mr.V.Ajoy Khose
For Respondent : Mr.C.Gouthamaraj
Standing Counsel



W.P.No.20075 of 2024

ORDER

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This writ petition has been filed for direction directing the respondent to pay him interest for the belated payment of P.F, earned leave salary and Gratuity and to pay him a sum of Rs.18,500/- towards the STERBS (State Transport Employees Retirement Benefit Scheme) which was deducted from his salary for every month, while he was in service, together with interest at the rate of 12 percentage per annum, within a specified time as may be fixed by this Hon'ble Court award costs.

2. Heard the learned counsel on either side 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 :-

“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



W.P.No.20075 of 2024

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 months from the date of receipt of a copy of this order.”

4. This Court is of the view that the respondent 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 respondent herein to pay the interest on the belated payment of the terminal benefits to the petitioner 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 a copy of this order.



W.P.No.20075 of 2024

6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

19.07.2024
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Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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W.P.No.20075 of 2024

To

Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
represented by its Managing Director,
Mettupalayam Road,
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W.P.No.20075 of 2024

G.K.ILANTHIRAIYAN. J.

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W.P.No.20075 of 2024

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