



WEB COPY



W.P.No.35677 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.01.2024

CORAM

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

W.P.No.35677 of 2023

A.Manoharan

....

Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/136, Salamedu, Valudhareddy Post,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Kancheepuram Region,
Karapettai, Kancheepuram – 631 552.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare 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 the interest to the petitioner at the rate of 8% per annum for the belated payment of retirement benefits for the period of 30.04.2018 to



W.P.No.35677 of 2023

19.09.2019 i.e., 508 days on Provident Fund, Gratuity, Earned Leave, Commuted Pension and other retirement benefits and last month 10 days salary, within a specified time.

For Petitioner : M/s.S.Vasanthi
For R1 & R2 : Mr.R.Venkatesa Perumal
Standing Counsel
For R3 : Mr.C.S.K.Sathish

ORDER

This Writ Petition has been filed for direction directing the respondents to pay appropriate interest to the petitioner for the delayed sanction and disbursement of retirement benefits.

2. Heard the learned counsel appearing 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 :-



WEB COPY



W.P.No.35677 of 2023

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

4. This Court is of the view that the first 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.



W.P.No.35677 of 2023

WEB COPY

5. In the light of the above findings, there shall be a direction to the first 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.

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

04.01.2024

Internet : Yes
Index : Yes/No
Lpp

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/136, Salamedu, Valudhareddy Post,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Kancheepuram Region,
Karapettai, Kancheepuram – 631 552.



W.P.No.35677 of 2023

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



WEB COPY



W.P.No.35677 of 2023

G.K.ILANTHIRAIYAN, J.

Lpp

W.P.No.35677 of 2023

04.01.2024