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W.P.Nos.35405 and 35408 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM:

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

W.P.Nos.35405 and 35408 of 2023

J.Sundaram

...Petitioner in  
W.P.No.35405 of 2023

S.Rajendran

...Petitioner in  
W.P.No.35408 of 2023

-Vs-

1.M/s.State Express Transport Corporation,  
Represented by its Managing Director,  
No.2, Pallavan Salai,  
Chennai – 600 002.

2.M/s.Tamil Nadu State Transport Corporation,  
Employees' Pension Fund Trust,  
Represented by its Administrator,  
No.2, Pallavan Salai,  
Chennai – 600 002

... Respondents in  
both WPs'

**Prayer in W.P.No.35405 of 2023 :** Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents herein to settle a sum of Rs.5,11,705/- towards 6% interest for the belated settlement of terminal benefits to the Petitioner herein by considering the representation of the Petitioner dated 06.10.2023.

**Prayer in W.P.No.35408 of 2023 :** Writ Petition filed under Article 226 of



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Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents herein to settle a sum of Rs.5,02,737/- towards 6% interest for the belated settlement of terminal benefits to the Petitioner herein by considering the representation of the Petitioner dated 06.10.2023.

For Petitioner : Mr.D.Soundar Raj  
(in both WPs)

For Respondents : Mr.L.S.M.Hason Fizal  
1 & 2 Additional Government Pleader  
(in both WPs)

### **COMMON ORDER**

These writ petitions have been filed seeking direction to the respondents to settle a sum of Rs.5,11,705/- and Rs.5,02,737/- respectively towards 6% interest for the belated settlement of terminal benefits to the petitioners by considering the representations of the petitioners dated 06.10.2023.

2. It is the case of the writ petitioners that they joined as Assistant Engineer in the 1st respondent Corporation on 01.07.1988 and 01.12.1987 respectively. The petitioners were retired from their service on 31.05.2019. It is the grievance of the writ petitioners that the respondents paid retirement benefits viz., Gratuity, Leave Salary and Commutation of Pension belatedly without any interest. Hence, they made representations on 06.10.2023,



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requesting the respondents to pay interest at the rate of 6% per annum for retirement benefits viz., Gratuity, Leave Salary and Commutation of pension amount and other unsettled terminal benefits and the same have not been considered. Hence, these writ petitions.

3. It is the contention of the learned counsel for the petitioners that though certain retirement benefits have been paid and the same have been paid belatedly and still other terminal benefits have not been paid. The retirement benefits have been paid on time, which is the last source of income to the retired employees.

4. In such view of the matter, the respondents Corporation is directed to pay 6% interest per annum for the belated payments of retirement benefits paid to the petitioners and also directed to disburse the unpaid terminal benefits, if any, within a period of two months from the date of receipt of copy of this order, with interest at the rate of 6% per annum for delayed period.

5. With the above direction, these writ petitions stand disposed of. There



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shall be no order as to costs.

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03.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

- 1.The Managing Director,  
M/s.TamilNadu State Express Transport Corporation,  
No.2, Pallavan Salai,  
Chennai – 600 002.
- 2.The Administrator,  
M/s.Tamil Nadu State Transport Corporation,  
Employees' Pension Fund Trust,  
No.2, Pallavan Salai,  
Chennai – 600 002



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**G.K.ILANTHIRAIYAN. J.**

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