



WEB COPY



W.P.No.35082 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM:

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

W.P.No.35082 of 2023

- 1.D.Muthuvelan
- 2.R.Ponnusamy
- 3.G.Devarasu
- 4.G.Aganitham
- 5.J.Vasanthi

... Petitioners

Vs.

- 1.The Managing Director,
Tamilnadu State Transport Corporation(Villupuram)Ltd.,
No.3/137, Salamedu,
Vizhupuram 605 602

- 2.The General Manager,
Tamilnadu State Transport Corporation(Villupuram)Ltd.,
Cuddalore Region,
No.2, Imperial Road, Cuddalore,
Cuddalore District 607 002

- 3.The Administrator,
Tamilnadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai 600 002

... Respondents

PRAYER:

Writ petition is filed under Article 226 of the Constitution of India to
issue a writ of mandamus directing the respondents to pay difference in leave



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salary, difference in gratuity and pension arrears as per 14th wage settlement

dated 24.08.2022 with 10% interest to the petitioner.

For Petitioners : Mr.S.T.Varadarajulu

For Respondents : Mr.R.Venkatesa Perumal,
Standing Counsel

ORDER

This writ petition has been filed for direction to the respondents to pay difference in leave salary, difference in gratuity and pension arrears as per 14th wage settlement dated 24.08.2022 with 10% interest to the petitioners.

2. It is the case of the Writ Petitioners that they retired from service during the year 2022. The grievance of the petitioners is that the 14th wage settlement benefit was not extended to the petitioners. Hence, the petitioners are claiming the difference in gratuity, leave salary and difference in pension. In this regard, the petitioners have given their respective representations to the respondents on 06.11.2023, 16.11.2023, 17.11.2023 & 21.11.2023 respectively. However, the same have not been considered by the respondents. Hence, the present Writ Petition has been filed to settle the above amount along with 10% interest.

3. Heard Mr.S.T.Varadarajulu, learned counsel for the petitioners,



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Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for the respondents.

4. The learned Standing Counsel appearing for the respondents submitted that they would release the eligible amount to the petitioners.

5. This Court, in various decisions, have already taken a view that in all cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioners are entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

6. Accordingly, the respondents are directed to pay the eligible amount payable to the petitioners along with interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioners, from the date of their retirement till the date of actual disbursement within a period of eight weeks from the date of receipt of a copy of this Order.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.



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02.01.2024

Index :Yes/No

(2/2)

Internet : Yes/No

Speaking order/non-speaking order
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To



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Tamilnadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai 600 002
- 4.The Government Advocate
High Court of Madras

G.K.ILANTHIRAIYAN, J.

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