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W.P.No.35086 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.35086 of 2023

1.R.Ponnusamy

2.G.Devarasu

...Petitioners

Vs.

1. The Managing Director

Tamilnadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu
Villupuram 605 602

2. The General Manager

Tamil Nadu 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 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay interest at the rate of 10% for the belated payment of Gratuity, PF and Leave Salary and commutation of pension amount to the petitioners.



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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 interest at the rate of 10% for the belated payment of Gratuity, PF and Leave Salary and commutation of pension amount to the petitioners.

2. The petitioners herein had retired from service on 31.05.2022 & 31.07.2022 respectively. However, their terminal benefits came to be settled belatedly on 22.05.2023 and 23.05.2023. The respondents have not paid interest for the belated payments. In this regard, the petitioners have given representations to the respondents, which are yet to be considered.

3. 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 6% per annum. In this background, this Court is of the view that if the respondents are directed to pay interest on the belated payment of the terminal benefits of the petitioners, the ends of



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justice could be secured.

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4. In the light of the above observations, there shall be a direction to the respondents herein to settle the interest amount at the rate of 6% per annum on the belated payment of the terminal benefits from the date of the petitioners' retirement till the date of actual payment, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

02.01.2024

Index :Yes/No

(2/2)

Internet : Yes/No

Speaking order/non-speaking order
lok

G.K.ILANTHIRAIYAN, J.



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To

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