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WP No. 33145 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP No. 33145 of 2025

K.Mohana Sundaram (J0 4244)
S/o.Karupannan, No.68, A.E.B. Road,
Bungalow Thottam, Salaipudur, Erode
- 638 151.

Petitioner(s)

Vs

Tamil Nadu State Transport
Corporation (Kovai) Ltd
Rep By Its The Managing Director,
No.37, Mettupalayam Road,
Coimbatore- 43.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the respondents to pay the petitioner interest at the rate of 15% per annum for the belated payment of 655 days in paying his PF, Gratuity, Earned leave and Surrender Leave Salary with interest at the rate of 15% within a specified time, as may be fixed by this Hon'ble Court, Award costs.



WEB COPY

WP No. 33145 of 2025



For Petitioner : Ms.G.K.Dharshini
For Respondent : Mr.M.Murali Vinodh
Standing Counsel
(TNSTC)

ORDER

Mr.M.Murali Vinodh, learned Standing Counsel takes notice on behalf of the respondent. By consent of both parties, the present writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition to issue a Writ of Mandamus, directing the respondent to pay interest for the belated payments made to him in respect of PF, Gratuity, Earned Leave and Surrender Leave salary at the rate of 15% per annum.

3. The petitioner retired from service on 30.06.2023 as Special Grade Driver. However, the respondent paid the retirement benefits belatedly only on 16.04.2025, after a delay of 655 days from the date of retirement.



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4. The case of the petitioner is that though he retired from service on 30.06.2023, the respondent failed to settle the retirement benefits on the due date. The petitioner would further state that he is entitled to receive retirement benefits on the date of retirement itself and that due to the delay, his family was put to serious hardship and prejudice. Even after repeated representations, requesting interest on the belated settlement, the respondent has not taken any steps to pay the same. Hence, the present writ petition has been filed.

5. When the matter is taken up for hearing, the learned counsel for the petitioner brought to the notice of this Court the order passed by the Co-ordinate Bench of this Court in a similar matter in W.P.No.25610 of 2024 dated 03.09.2024, wherein this Court had directed the respondent to pay interest at the rate of 6% p.a. for the belated payment of terminal benefits to the petitioner therein within a period of six (6) weeks from the date of receipt of a copy of this order.



6. Learned counsel appearing for the respondent did not dispute the above submission made by the learned counsel for the petitioner.

7. This Court perused the order passed in W.P.No.25610 of 2024, wherein, this Court has held as under :-

“5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioner, there shall be a direction to the respondent to pay interest at the rate of 6% p.a. for the belated payment of terminal benefits to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch interest at the rate of 12% p.a. from the date on which the amount became due and payable till the date of actual realisation.”

8. The aforesaid decision is squarely applicable to the facts of the present case. Accordingly, applying the ratio laid down in the above case, this Writ petition stands disposed of with a direction to the respondent to pay interest at the rate of 6% p.a. for the belated payment of terminal benefits such as, Provident Fund, Gratuity, Pension commutation and Earned Leave amount to



the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that, if the amount is not paid within the time

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frame fixed by this Court, it will fetch interest at the rate of 9% p.a. from the date on which the amount became due and payable till the date of actual realisation. There shall be no order as to costs.

02-09-2025

(2/4)

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. Tamil Nadu State Transport
Corporation (kovai) Ltd
Rep By Its The Managing Director,
No.37, Mettupalayam Road,
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WEB COPY

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A.D.JAGADISH CHANDIRA J.

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