



WEB COPY

WP No. 36706 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP No. 36706 of 2025

K.Myilsamy

Petitioner(s)

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
No.12, Ramakrishna Road, Salem-636 007.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai- 600 002.

Respondent(s)

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the Respondents to pay the interest at the rate of 6% per annum for the delayed payment of Gratuity, Employees Provident Fund, Earn Leave Salary and Commutation from the date of retirement to the date of payment to the petitioner within the time stipulated.



WEB COPY

WP No. 36706 of 2



For Petitioner(s): Mr.D.Venkatachalam

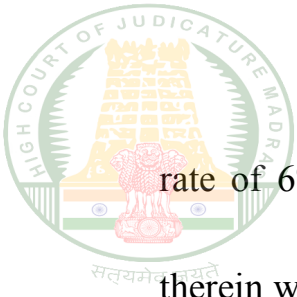
For Respondent(s): Mr.K.Raja
Standing Counsel

ORDER

Aggrieved by the belated payment of Provident Fund, Gratuity, Pension commutation and Earned Leave amount, the petitioner has come up with this Writ petition seeking interest at the rate of 6% per annum, for the said delay caused on the part of the respondents.

2. Mr.K.Raja, learned Standing Counsel takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. 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 the order.

4. Learned counsel appearing for the respondents did not dispute the above submission made by the learned counsel for the petitioner.

5. 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.”



6. 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 respondents 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 twelve (12) 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 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.

06-10-2025

kkn

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

WEB COPY

1. The Managing Director,

Tamil Nadu State Transport Corporation (Salem) Ltd.,

No.12, Ramakrishna Road, Salem-636 007.

2. The Administrator,

Tamil Nadu State Transport Corporation,

Employees Pension Fund Trust,

Thiruvalluvar House, Pallavan Salai,

Chennai- 600 002.



WEB COPY

WP No. 36706 of 2



A.D.JAGADISH CHANDIRA J.

KKN

WP No. 36706 of 2025

06-10-2025