BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.161 of 2026

G.Vinoth ... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Limited
Represented by its Managing Director
Tirunelveli Division Kattapomman Nagar
VM Chathiram Tirunelveli.

2.The Tamil Nadu State Transport Corporation (Tirunelveli) Limited
Represented by its General Manager
Nagercoil Region Ranithottam
Nagercoil.

3.The Administrator
Tamil Nadu State Transport Corporation Employees Pension Fund Trust
Thiruvalluvar Illam Anna Salai
Chennai - 2. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to pay interest at the rate of 12 percent per annum, for the period of delay from the petitioners date of retirement (31.07.2024) to till the date of reimbursement (02.12.2025) of amount paid towards the petitioners terminal and pension benefits namely EPF Employees Contribution, Gratuity, Encashment of Earned / Sick Leaves and other monetary benefits etc., within a time frame as may be fixed by this Honble Court, without affecting the petitioners right to claim balance amounts towards those benefits.

For Petitioner	: Mr.R.Murugan
For R1	: Mr.D.Jebaraj, Standing Counsel
For R2	: Mr.S.C.Herold Singh Standing Counsel

ORDER

Seeking interest for the belated payment of terminal and pension benefits, the petitioner has approached this Court.

2.The case of the petitioner is that he joined as a Driver in the respondent Transport Corporation on 01.09.1994 and retired from service as Special Grade Driver on 31.07.2024. However, the retirement benefits were settled to him only on 02.12.2025. Since the benefits have been settled belatedly, the respondent is liable to pay interest for the belated payment. Therefore, the petitioner gave a representation dated 08.12.2025 to the respondent, however, the same did not evoke any response. Therefore, the petitioner has filed this writ petition for the above said relief.

3.Mr.D.Jebaraj, learned Standing Counsel and Mr.S.C.Herold Singh, learned Standing Counsel takes notice on behalf of the respondents and submit that the terminal benefits have been settled to the petitioner, however, belatedly.

4.By consent of both the parties, the writ petition is taken up for final hearing at the admission stage itself.

5.This Court paid its anxious consideration to the rival submissions made and also perused the materials placed on record.

6.The employer is liable to settle the retirement benefits to its employees without any delay and in case, if it is settled belatedly, it has to be compensated by way of interest for the belated payment. In this regard, the Hon'ble Apex Court in ***S.K.Dua vs. State of Haryana*** reported in ***2008 (3) SCC 44***, has held as follows:

> *"14. In the circumstances, prima facie, we are of the view that the grievance voiced by the appellant appears to be well founded that he would be entitled to interest on such benefits. If there are statutory rules occupying the field, the appellant could claim payment of interest relying on such rules. If there are administrative instructions, guidelines or norms prescribed for the purpose, the appellant may claim benefit of interest on that basis. But even in absence of statutory rules, administrative instructions or guidelines, an employee can claim interest under Part III of the Constitution relying on Articles 14, 19 and 21 of the Constitution. The submission of the learned counsel for the appellant, that retiral benefits are not in the nature of "bounty" is, in our opinion well founded and needs no authority in support thereof. In that view of the matter, in our considered opinion, the High Court was not right in dismissing the petition in living even without issuing notice to the respondents."*

7.Following the same, in a similar issue, a Division Bench of this Court, in W.A.(MD)No.403 of 2010, etc. batch, vide common order dated 04.07.2014, has fixed the rate of interest at 6% per annum and held as under:-

> *"5. ..... even though there is no provision in the Tamil Nadu State Transport Corporation Employees Pension Fund for payment of interest, cannot stand in the light of the law laid down by the Supreme Court in S.K.Dua v. State of Haryana and another, reported in (2008) 3 SCC 44. As a matter of fact, the Rules do not contemplate belated payment of retirement benefits. The Rules contemplate prompt payment. When the Rules contemplate prompt payment and not bleated payment, the Rules will not contain a provision for payment of interest. The Pension Fund which was created as a Trust by the Corporation was supposed to act in trust for the employees' benefit. If the Trust could not make payments within the time stipulated, then, irrespective of whether there is any provision for payment of interest or not, the Corporation is obliged to make payment."*

8.Following the dictum laid down on this issue, the writ petition is disposed of with a direction to the respondent/Transport Corporation to pay interest for the belated payment of retirement benefits at the rate of 6% per annum from the date of retirement till the date of actual disbursement, within a period of six months from the date of receipt of a copy of this order. No costs.

07.01.2026

NCC: Yes/No
Index:Yes/No
Internet:Yes
gns

To

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B.PUGALENDHI, J.

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