



W.P(MD)No.2996 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.2996 of 2026

S.Natesan

... Petitioner

Vs

1.The Managing Director,
State Express Transport Corporation (TN) Ltd,
Corporate Office, NO.2, Pallavan Salai,
Chennai – 600 002.

2.The Financial Advisor,
State Express Transport Corporation (TN) Ltd,
Corporate Office No.2, Pallavan Salai,
Chennai – 600 002.

...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 disburse the interest at the rate of 6 percent as per court direction for belated payment of terminal benefits of Gratuity, Provident Fund and Leave Salary for its total amount comes to Rs.24,72,540/- for a period of 12 months from 01.05.2022 to 30.05.2023 to the petitioner

For Petitioner : Mr.K.Gokul

For Respondent : Mr.K.Senthil Kumar



W.P(MD)No.2996 of 2026

WEB COPY

3.The learned counsel for the petitioner submits that in similar writ petitions, this Court has ordered for payment of interest at the rate of 6% p.a. for the belated payment of retirement benefits and therefore, the petitioner is also entitled for the same relief.

4. It is reported on behalf of the respondents that the terminal benefits have been settled to the petitioner on 30.05.2023.

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

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

7.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***

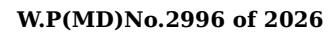


W.P(MD)No.2996 of 2026

WEB COPY
Haryana reported in **2008 (3) SCC 44**, has held as follows:

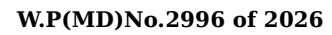
“14. In the circumstances, prima facie, we are of the view that the grievance voiced by the appellant appears to be well founded that he would be entitled to interest on such benefits. If there are statutory rules occupying the field, the appellant could claim payment of interest relying on such rules. 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.”

8.Following the same, in a similar issue, a Division Bench of



“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 belated 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.”

9.Following the dictum laid down on this issue, the writ



04.02.2026

DSK

To

1. The Managing Director,
State Express Transport Corporation (TN) Ltd,
Corporate Office, NO.2, Pallavan Salai,
Chennai – 600 002.
2. The Financial Advisor,
State Express Transport Corporation (TN) Ltd,
Corporate Office No.2, Pallavan Salai,
Chennai – 600 002.



WEB COPY



W.P(MD)No.2996 of 2026

B.PUGALENDHI, J.

DSK

W.P(MD)No.2996 of 2026

04.02.2026