



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos. 24246, 24249, 24253, 24258, 24264, 24268
and 24271 of 2019

A.R.Palanibabu	..Petitioner in W.P.No.24246 of 2019
J. Raj Mohan	..Petitioner in W.P.No.24249 of 2019
A. Thayalan	..Petitioner in W.P.No.24253 of 2019
A. Kasirajan	..Petitioner in W.P.No.24258 of 2019
G. Dinakaran	..Petitioner in W.P.No.24264 of 2019
M. Santhalingam	..Petitioner in W.P.No.24268 of 2019
R. Venkatesan	..Petitioner in W.P.No.24271 of 2019

Vs

1.Tamilnadu State Transport Corporation
(Villupuram) Limited
rep. by its Managing Director,
3/137 Salamedu,
Villupuram - 605602q

2.Tamilnadu State Transport Corporation
Employees' Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600002.
except
2019

..Respondents in all WPs
WP.24264, 24268 and 24271 of

3.Tamilnadu State Transport Corporation
(Villupuram) Limited
rep. by its Managing Director,
3/137 Salamedu,
Villupuram - 605602

..Respondent in WP.24264, 24268
and 24271 of 2019



Prayer in W.P. No. 24246: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the petitioner a sum of Rs.70,311/- towards interest for the belated payment of Gratuity and interest for the belated payment of Commuted value of Pension, Award costs.

Prayer in W.P. No. 24249: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the Respondents to pay the Petitioner interest at the rate of 6 percentage per annum for the belated payment of Gratuity and commuted value of pension within a specified time as may be fixed by this Honble court Award costs

Prayer in W.P. No. 24253: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the Respondents to pay the Petitioner a sum of Rs 90,093/- towards Interest for the belated payment of Gratuity and interest for the belated payment Commuted Award costs

Prayer in W.P. No. 24258: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the Respondents to pay the Petitioner a sum of Rs 71,053/- towards Interest for the belated payment of Gratuity and interest for the belated payment Commuted value of Pension Award Costs

Prayer in W.P. No. 24264: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the Respondents to pay the Petitioner a sum of Rs 68,472/- towards Interest for the belated payment of Gratuity and interest for the belated payment Award Costs

Prayer in W.P. No. 24268: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the Respondents to pay the Petitioner a sum of Rs 85,589/- towards Interest for the belated payment of Gratuity Award costs

Prayer in W.P. No. 24271: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the Respondents to pay the Petitioner a sum of Rs 65,337/- towards Interest for the belated payment of Gratuity and interest for the belated payment Award Costs.

For Petitioner : M/s. R. Krishnaswamy
(In all WPs)



For Respondents : Mr. A. Kulandaivelu
(In all WPs)

COMMON ORDER

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These Writ Petitions are taken up and disposed of by way of common order, since the issue involved in these Writ Petitions is common.

2. The case of the petitioners is that the petitioners herein were appointed in the 1st respondent Transport Corporation in different cadres and subsequently retired on superannuation. It is stated that after retirement, the 1st respondent transport corporation sanctioned the gratuity amount to the petitioners belatedly. Hence, claiming the interest amount for the belated amount, the present writ petitions are filed by the petitioners.

3. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents and perused the records.

4. The learned counsel for the petitioner submitted that though the petitioners were retired in the year 2012, the gratuity and other retirement benefits were sanctioned only in the year 2015 i.e. nearly after a delay of three years. Therefore, the petitioners are entitled to receive interest amount for the belated payment as per Rules.

5. The learned Standing Counsel appearing for the respondents submitted that the entire amount has been settled to the petitioner in the year 2015 itself and till date the petitioners have not made any representations with proper details.

6. In view of the above and considering the delay in laches on the part of the petitioners, these writ petitions are dismissed. No costs.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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To

1. Tamilnadu State Transport Corporation
(Villupuram) Limited
rep. by its Managing Director,
3/137 Salamedu,
Villupuram - 605602q

2. Tamilnadu State Transport Corporation
Employees' Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600002.

+1 CC to Mr.V. Ajoy Khose, Advocate sr 95877
+7 Ccs to Mr.A. Antony Arokiaraja, TNSTC sr 96694, 96696, 96695,
96680, 96681, 96682, 96683.

W.P.Nos. 24246, 24249, 24253, 24258,
24264, 24268 and 24271 of 2019

VSNII (CO)
SP (26/12/2019)