



IN THE HIGH COURT OF JUDICATURE AT MADRAS

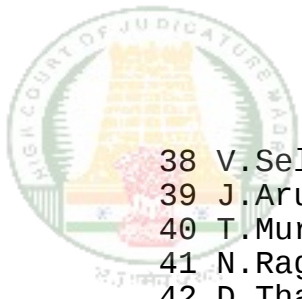
DATED: 26.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. Nos.13099, 12560, 13100, 13101,
13104, 13105 & 13106 of 2021

- | | |
|-----------------------|---------------------------------------|
| 1 V.Thangarajan | ... Petitioner in WP No.13099 of 2021 |
| 1 S.Singaravelu | ... Petitioner in WP No.12560 of 2021 |
| 2 R.Periyasamy | |
| 3 V.Radhakrishnan | |
| 4 M.Murali | |
| 5 R.Asokan | |
| 6 D.Sivaraj | |
| 7 M.Kannan | |
| 8 A.Shajahan | |
| 9 V.Thangarasu | |
| 10 V.Srinivasan | |
| 11 M.Mariappan | |
| 12 G.Rajendran | |
| 13 V.Selvaraj | |
| 14 S.Mahalingam | |
| 15 A.Elumalai | |
| 16 J.Sekar | |
| 17 K.Baskaran | |
| 18 T.Thulasisingam | |
| 19 G.Perumal | |
| 20 M.Ravi | |
| 21 G.Selvaraj | |
| 22 M.Iyanar | |
| 23 S.Kamaraj | |
| 24 A.Gopalakrishnan | |
| 25 T.Elango | |
| 26 M.Gajamoorthy | |
| 27 R.Balasubramaniyan | |
| 28 D.Kannan | |
| 29 K.Karuppaian | |
| 30 G.Mahalingam | |
| 31 R.Arulmari | |
| 32 P.Arumugam | |
| 33 S.Vinayagam | |
| 34 K.Ravichandran | |
| 35 K.Matheeswaran | |
| 36 R.Rajendran | |
| 37 T.Gnanasekaran | |



38 V.Selvam
39 J.Arulanandham
40 T.Murugan
41 N.Ragothaman
42 D.Thachanamoorthy

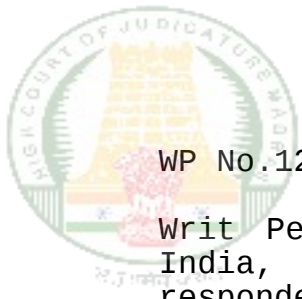
... Petitioner in WP.12560/2021

1 D.Kanniappan ... Petitioner in WP No.13100 Of 2021
1 A.Arumugam ... Petitioner in WP No.13101 Of 2021
1 R.Ramalingam ... Petitioner in WP No.13104 Of 2021
1 R.Santhan ... Petitioner in WP No.13105 Of 2021
1 E.Unthiappan .. Petitioner in WP No.13106 Of 2021

Versus

- 1 The Managing Director
Metropolitan Transport Corporation
(CHENNAI) Ltd Pallavan House Chennai- 600 002.
... R1 in WP No.13099, 13100,
13101,13104,13105, & 13106 Of 2021
- 2 The Managing Director
Tamil Nadu State Transport Corporation
(VILLUPURAM) Ltd. 3/137 Salamedu
Villupuram Villupuram District-605 602.
... R1 in WP No.12560 Of 2021
- 3 The General Manager
Tamil Nadu State Transport Corporation
(VILLUPURAM) Ltd. 3/137 Salamedu
Villupuram Villupuram District-605 602.
...R2 in WP No.12560 Of 2021
- 4 The Adminsitrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust Pallavan Salai
Chennai-600 002.
... R2 in WP No.13099, 13100,
13101,13104,13105, & 13106 Of 2021
...R3 in WP 12560/2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pay petitioner the difference in surrender leave in the revised basic pay as per 12(3) settlement dated 4.1.2018 with 10% interest and interest for the belated payment of commutation of pension amount paid after 4 years in WP 13099 of 2021.



WP No.12560 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pay interest @ 10 percent for the belated payment of gratuity, Leave Salary and Commutation of pension amount to the petitioners

WP No.13100 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus Directing the respondents to pay the petitioner the difference in Gratuity amount and surrender Leave in the revised basic pay as per 12 (3) settlement dated 4.01.2018 with interest 10 percentage interest and interest for the belated payment made in the commutation amount.

WP No.13101 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus Directing the respondents to pay the petitioner the difference of Gratuity amount with interest and interest for the belated payment of 2nd installment of commutation amount paid after 4 years.

WP No.13104 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus Directing the respondents to pay the interest at 10 percentage for the belated payments of provident Fund, Gratuity , Surrender leave and the commutation of pension amount to the petitioner.

WP No.13105 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus Directing the respondents to pay the petitioner the difference in surrender Leave in the revised basic pay as per 12 (3) settlement dated 4.1.2018 with 10% interest and interest for the belated payment of commutation of pension amount paid after 4 years.

WP No.13106 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus Directing the respondents to pay the petitioner the difference in surrender Leave in the revised basic pay as per 12 (3) settlement dated 4.1.2018 with 10% interest and interest for the belated payment of commutation of pension amount paid after 4 years.



WEB COPY

For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.K.Moorthy
Standing Counsel in all

C O M M O N O R D E R

These writ petitions are filed by the retired employees of respondent Corporation for issuance of a writ of mandamus directing the respondents to pay interest for the delayed payment of Provident Fund, Gratuity, Commutation of Pension and Leave Salary, etc.

2. In similar cases, this Court has recently reduced interest at 4% for the delayed payment. It is admitted that the petitioners are entitled to terminal benefits and there is delay in settlement of terminal benefits namely Provident Fund, Gratuity, Commutation of Pension and Leave Salary. This Court uniformly has recognised the petitioners' entitlement to interest. Though interest @ 6% was granted earlier, the Courts have subsequently reduced the rate of interest from 6% to 4% considering the difficulties of the Transport Corporation during Covid Pandemic.

3.This Court is inclined to dispose of these writ petitions with the following direction:

The respondent Transport Corporation is directed to pay interest @ 4% per annum for the delayed payment of Provident Fund, Gratuity, Leave Salary and Commutation of Pension. The amount calculated towards interest should be paid in six monthly instalments commencing from 01.09.2021. In case of any further delay in paying instalments within the time stipulated by this order, the interest payable will be @ 6% for the delayed payment. If there is any dispute with regard to quantum, the parties are at liberty to workout their remedy independently.

4. Accordingly, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

ssr



To

1. The Managing Director,
Metropolitan Transport Corporation
(Chennai) Ltd, Pallavan House,
Chennai - 600 002.

2. The Administrator,
Tamilnadu State Transport Corporation,
Employees Pension Fund Trust
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

3. The General Manager
Tamil Nadu State Transport Corporation
(VILLUPURAM) Ltd. 3/137 Salamedu
Villupuram Villupuram District-605 602.

4. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust Pallavan Salai
Chennai-600 002.

+1cc to M/s.C.S.K.Sathish, Advocate, S.R.No.33456

+6cc to M/s.K.Moorthy, Advocate, S.R.No.36145 to 36150

+4cc to M/s.S.T.Varadarajalu, Advocate, S.R.No.35750,33034,33033

W.P. Nos.13099, 12560, 13100, 13101,
13104, 13105 & 13106 of 2021

RR(CO)
SB(26/08/2021)