



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. Nos.14044, 14046, 14047,
14050, 14051 & 14052 of 2021

- N.Kumaravel ... Petitioner in WP No.14044 Of 2021
- 1.S.Viswanathan ... Petitioner in WP No.14046 Of 2021
Edp No.01270 No.16 5th Street Kumarappa
Nagar Katpadi Village-632 007
- 1.K.Natarajan ... Petitioner in WP No.14047 Of 2021
Edp No.1200 No.69 Ezhil Nagar Sedukkarai
Gudiyatham Vellore-635803
- 1.K.Sampath Kumar ... Petitioner in WP No.14050 Of 2021
Edp No.1213 / Aa0270 No.1/ 119 Velalar
Street K.V.Kuppam(Post) Katpadi Taluk
Vellore-632 201
- 1.B.Amanulla ... Petitioner in WP No.14051 Of 2021
Edp No.13046/Aa0231 No.53/22. Central
Street Pallikonda Vellore Dist Vellore-635 809
- 1.A.Elangovan ... Petitioner in WP No.14052 Of 2021
Edp No.Edp No.2215 No.40a Bharathidasan
Street Adukkamaparai Vellore-632 011

Versus

- 1.The Managing Director ... Respondent in WP No.14044 Of 2021
Tamilnadu State Transport Corporation
(VILLUPURAM)LIMITED 3/137 Salamedu
Valudha Reddy Post Villupuram -605 602
- 1.The Managing Director ... Respondent in WP No.14046 Of 2021
Tamilnadu State Transport Corporation
(VILLUPURAM)LIMITED 3/137 Salamedu
Valudha Reddy Post Villupuram -605 602
- 2.The Administrator
Tamil Nadu State Transport Corporations
Employees Pension Fund Trust Thiruvallur
Illam Pallavan Salai Chennai-600 002
- 1.The Managing Director ... Respondent in WP No.14047 Of 2021
Tamilnadu State Transport Corporation
(VILLUPURAM)LIMITED 3/137 Salamedu
Valudha Reddy Post Villupuram -605 602



1.The Managing Director ... Respondent in WP No.14050 Of 2021
Tamilnadu State Transport Corporation
(VILLUPURAM)LIMITED 3/137 Salamedu
Valudha Reddy Post Villupuram -605 602

2.The Administrator
Tamilnadu State Transport Corporations
Employees Pension Fund Trust Thiruvallur
Illam Pallavan Salai Chennai-600 002

1.The Managing Director ... Respondent in WP No.14051 Of 2021
Tamilnadu State Transport Corporation
(VILLUPURAM)LIMITED 3/137 Salamedu
Valudha Reddy Post Villupuram -605 602

2.The Administrator
Tamilnadu State Transport Corporations
Employees Pension Fund Trust Thiruvallur
Illam Pallavan Salai Chennai-600 002

1.The Managing Director ... Respondent in WP No.14052 Of 2021
Tamilnadu State Transport Corporation
(VILLUPURAM)LIMITED 3/137 Salamedu
Valudha Reddy Post Villupuram -605 602

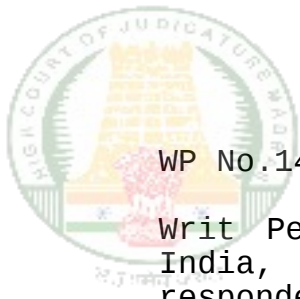
2.The Administrator
Tamilnadu State Transport Corporations
Employees Pension Fund Trust Thiruvallur
Illam Pallavan Salai Chennai-600 002

Prayer:
WP No.14044 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 petitioner a sum of Rs.3,45,811/- towards interest for the belated payment of terminal benefits such as PF, Gratuity, Leave Salary and towards surrender of earned leave salary which petitioner surrendered in August 2018 and August 2019 with interest.

WP No.14046 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to pay to the petitioner a sum of 3,93,406/- towards interest for the belated payment of terminal benefits such as PF, Gratuity, Leave Salary and commutation towards surrender of earned leave salary which petitioner surrendered in Feb 2019 with interest



WP No.14047 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to pay to the petitioner a sum of 3,18,009/- towards interest for the belated payment of terminal benefits such as PF, Gratuity, Leave Salary and towards surrender of earned leave salary which petitioner surrendered in November 2018

WP No.14050 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to pay to the petitioner a sum of 1,52,814/- towards interest for the belated payment of terminal benefits such as Gratuity, Leave Salary and commutation

WP No.14051 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to pay to the petitioner a sum of 3,15,844/- towards interest for the belated payment of terminal benefits such as Gratuity, Leave Salary and commutation

WP No.14052 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to pay to the petitioner a sum of 2,37,907/- towards interest for the belated payment of terminal benefits such as PF, Gratuity, Leave Salary and commutation

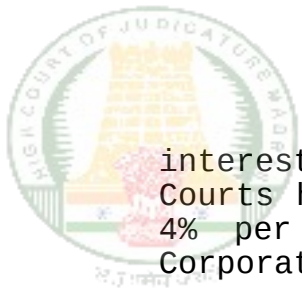
For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.C.S.K.Sathish
Standing Counsel

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% per annum was granted earlier, the Courts have subsequently reduced the rate of interest from 6% to 4% per annum considering the difficulties of the Transport Corporation during Covid Pandemic.

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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% per annum 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-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram - 605 602.

2. The Administrator
Tamilnadu State Transport Corporations
Employees Pension Fund Trust Thiruvallur
Illam Pallavan Salai Chennai-600 002

+6cc to M/s.C.S.K.Sathish, Advocate, S.R.No.36061 to 36066
+1cc to M/s.S.T.Varadarajulu, Advocate, S.R.No.35752

W.P. Nos.14044, 14046, 14047,
14050, 14051 & 14052 of 2021

VSN-II(CO)
SB(26/08/2021)