



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE Mr.JUSTICE S.S.SUNDAR

W.P. Nos. 14405, 14408 & 14410 of 2021

W.P. No.14405 of 2021

V.Anbu

.. Petitioner

Versus

1.Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by the Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram - 605 602.

2.Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by the General Manager,
Kancheepuram Regional Office, Karapettai,
Chennai Bangaluru Highway,
Kancheepuram - 631 552.

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

.. Respondents

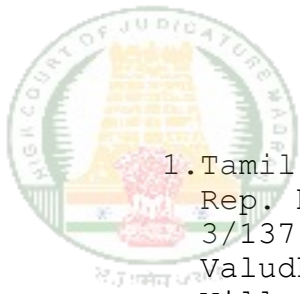
Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pay interest amounts to the Service Gratuity, Commutation of Pension Amount and the Leave Salary at the rate of 4% per annum for 16 months of delayed payment in accordance with the order dated 12.06.2015 of this Hon'ble Division Bench of this Hon'ble Court made in W.A.(MD) Nos.383 to 457 of 2015 and as adopted in the order made on 24.03.2021 in W.P. No.506 of 2021 by considering and passing orders on the representation of the petitioner dated 10.06.2021.

W.P. No.14408 of 2021

K.Elavazhuthi

.. Petitioner

Versus



WEB COPY

1. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by the Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram - 605 602.

2. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by the General Manager,
Kancheepuram Regional Office, Karapettai,
Chennai Bangaluru Highway,
Kancheepuram - 631 552.

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

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pay interest amounts to the Service Gratuity, Commutation of Pension Amount and the Leave Salary at the rate of 4% per annum for 15 months of delayed payment in accordance with the order dated 12.06.2015 of this Hon'ble Division Bench of this Hon'ble Court made in W.A.(MD) Nos.383 to 457 of 2015 and as adopted in the order made on 24.03.2021 in W.P. No.506 of 2021 by considering and passing orders on the representation of the petitioner dated 18.06.2021.

W.P. No.14410 of 2021

J.Madhivanan

.. Petitioner

Versus

1. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by the Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram - 605 602.

2. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by the General Manager,
Kancheepuram Regional Office, Karapettai,
Chennai Bangaluru Highway,
Kancheepuram - 631 552.

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

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pay interest amounts to the Service Gratuity, Commutation of Pension Amount and the Leave Salary at the rate of 4% per annum for 16 months of delayed payment in accordance with the order dated 12.06.2015 of this Hon'ble Division Bench of this Hon'ble Court made in W.A.(MD) Nos.383 to 457 of 2015 and as adopted in the order made on 24.03.2021 in W.P. No.506 of 2021 by considering and passing orders on the representation dated 09.06.2021 of the petitioner.

For Petitioner : Mr. N.Ishak
(in all W.P's.)

For Respondents : Mr. C.S.K.Sathish
(in all W.P's.) Standing Counsel

C O M M O N O R D E R

Mr. C.S.K.Sathish, learned Standing Counsel, takes notice on behalf of the respondents. With the consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions are filed by the relieved employees of respondent Corporation for issuance of a writ of mandamus directing the respondents to pay interest alone @ 4% per annum for the delayed payment of Gratuity, Commutation of Pension and Leave Salary.

3. 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 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.

4. 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 Gratuity, Leave Salary and Commutation of Pension. The amount calculated towards interest should be paid in six monthly installments commencing from 01.08.2021. In case of any further delay in paying installments 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.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office, Karapettai,
Chennai Bangaluru Highway,
Kancheepuram - 631 532.

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

+3cc to Mr.C.S.K.Sathish, Advocate (SR Nos.33457, 33458, 33459)

+3cc to Mr.N.Ishak, Advocate (SR Nos.33121, 33120, 33119)

W.P. Nos. 14405, 14408 & 14410 of 2021

PCH (CO)
PR (04/08/2021)