



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. Nos. 15239, 15241, 15242 & 15243 of 2021

B.Vijayan	.. Petitioner in W.P. No.15239 of 2021
A.W.Ayub	.. Petitioner in W.P. No.15241 of 2021
A.Prakash	.. Petitioner in W.P. No.15232 of 2021
S.Udayakumar	.. Petitioner in W.P. No.15243 of 2021

Versus

- 1.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram-II), Ltd,
Vellore Region, Rangapuram,
Vellore - 632 009.
- 2.The Administrator,
Tamilnadu State Transport Corporations
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002. .. Respondents in all W.P's.

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pay 10% interest to the petitioners for the belated payment of terminal benefits such as Gratuity, Leave salary and commutation amount.

For Petitioner : Mr. S.T.Varadarajulu
(in all W.P's)

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

O R D E R

These Writ Petitions are filed for issuance of writ of mandamus directing the respondents to pay 10% interest to the petitioners for the belated payment of terminal benefits such as Gratuity, Leave salary and commutation amount.

2. The petitioners state that they are the retired employees of the respondent transport corporation. The petitioners retired from service on 31.05.2019, 30.04.2020, 31.05.2021 & 30.04.2019 respectively. It is stated that the



petitioners were serving as Senior Trades Men in the respondent corporation. Stating that the respondents have settled the retirement benefits to the petitioners belatedly, the petitioners have come forward for getting interest for the delayed payment of the terminal benefits.

3. This Court, in several cases, granted interest at 6% p.a. for the delayed payment of pension to be calculated from the date of amount due. This Court subsequently in a few decisions has reduced interest from 6% to 4% p.a. due to Covid pandemic.

4. Considering the facts and circumstances of the case and the direction of this Court in several other writ petitions in similar cases, this Court is inclined to dispose of this writ petition in the following directions.:

The first respondent is directed to pay interest to the petitioners at 4% per annum for the delayed payment of terminal benefits calculated from the date of amount due in six equal monthly installments commencing from 01.09.2021. In case there is further delay beyond six months, the respondents shall pay interest at 6% p.a.. If there is delay beyond a period of one year, it is open to the petitioners to approach this Court for higher interest or for appropriate orders.

With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

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To

1.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram-II), Ltd,
Vellore Region, Rangapuram,
Vellore - 632 009.

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



+4CCs to Mr.S.T.Varadarajulu, Advocate, SR.No. 36753
+4CCs to Mr.C.S.K.Sathish, Advocate, SR.No.36676, 36669,
36670, 36671

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BP(CO)
B.VC (29/09/2021)