



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. Nos.15540, 15543 & 15544 of 2021

A.Kumar

.. Petitioner
in W.P.No.15540 of 2021

R.Chandrasekaran

.. Petitioner
in W.P.No.15543 of 2021

M.Shanthi

.. Petitioner
in W.P.No.15544 of 2021

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
in all W.Ps

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 interest amounts to the Provident Fund, Service Gratuity, Commutation of Pension Amount and the Leave Salary at the rate of 4% per annum for 14 months in W.P.Nos.15540 & 15543 of 2021 and 16 months in W.P.No15544 of 2021 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 petitioner's representations dated 29.06.2021, 29.06.2021 & 30.06.2021 respectively.

For Petitioner : Mr.N.Ishak

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, Service Gratuity, Commutation of Pension Amount and Leave Salary etc.

2.In similar cases, this Court has recently reduced interest to 4% per annum 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, Service Gratuity, Commutation of Pension Amount and the 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% 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.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar



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 - 631 552.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Trust,
Pallavan Salai, Chennai - 600 002.

+3cc to M/s.N.Ishak, Advocate, Sr.36775,36776,36778

+3cc to M/s.C.S.K.Sathish, Advocate, Sr.37455,37457,37459

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AJS[co]
NSK 26/08/2021