



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2021

CORAM:

THE HONOURABLE Mr.JUSTICE S.S.SUNDAR

WP.Nos.15781, 15784, 15787/2021

N.Ravi	.. Petitioner in WP.No.15781/2021
P.Kumaravel	.. Petitioner in WP.No.15784/2021
P.Parthiban	.. Petitioner in WP.No.15787/2021

Versus

1. Tamil Nadu State Transport Corporation
[Villupuram] Ltd., rep.by its Managing Director,
3/137, Salamedu, Villupuram 605 602.
2. The General Manager
Tamil Nadu State Transport Corporation
[Villupuram] Ltd., Vellore Region,
Rangapuram, Vellore 632 009.
3. Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust
rep.by its Administrator
Thiruvalluvar Illam, Pallavan Salai
Chennai 600 002.

.. Respondents in all WPs

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 at the rate of 6% per annum for the belated payment of the petitioners' Provident Fund [PF], Gratuity, Earned Leave salary and commuted value of pension within a specified time as may be fixed by this Court, Award Cost and thus render Justice.

For Petitioners in
all WPs : Mr.R.Krishnaswamy



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

COMMON ORDER

WEB COPY

- (1) By consent, these writ petitions are taken up for final disposal and disposed of by this common order as the issue involved in all the writ petitions is one and the same.
- (2) Mr.C.S.K.Sathish, learned Standing counsel accepts notice on behalf of the respondents.
- (3) The writ petition is filed by the relieved employees of the respondents/Transport Corporation for issuance of a writ of mandamus directing the respondents to pay interest at the rate of 6% per annum for the belated payment of the petitioners' Provident Fund [PF], Gratuity, Earned Leave salary and commuted value of pension within a specified time as may be fixed by this Court.
- (4) In similar cases, this Court has recently reduced interest at 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, Gratuity, Commutation and Earned Leave. 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.
- (5) This Court is inclined to dispose of these writ petitions with the following direction:

The respondent-Transport Corporation is directed to pay interest to the petitioners @ 4% per annum for the delayed payment of Provident Fund, Gratuity, Earned Leave 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 and if there is a delay in payment beyond one year, then the petitioners are liberty to approach this Court for higher rate of interest.



WEB COPY

(6) Accordingly, the writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
[Villupuram] Ltd.,
3/137, Salamedu, Villupuram 605 602.
2. The General Manager
Tamil Nadu State Transport Corporation
[Villupuram] Ltd., Vellore Region,
Rangapuram, Vellore 632 009.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust
Thiruvalluvar Illam, Pallavan Salai
Chennai 600 002.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.36764
+1cc to Mr.V.Ajoy Khose , Advocate, S.R.No.36763
+1cc to Mr.V.Ajoy Khose , Advocate, S.R.No.36762
+1cc to Mr.C.S.K.Sathish, Advocate, S.R.No.36674
+1cc to Mr.C.S.K.Sathish , Advocate, S.R.No.36672
+1cc to Mr.C.S.K.Sathish , Advocate, S.R.No.36675

WP.Nos.15781, 15784, 15787/2021

PM(CO)
CT/25/08/2021