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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.17451 &17452 of 2021
(Through Video Conferencing)

In W.P.No.17451 of 2021

- 1.L.Vijayakumar
- 2.S.Vijayabalu
- 3.S.M.Syed Jalal
- 4.M.Thangaraj
- 5.S.Anbazagan
- 6.S.Rabart Jeeva
- 7.G.Panjathsharam
- 8.V.M.Senthamilselvan
- 9.P.Saminathan
- 10.P.Aruljothi
- 11.V.Dharanitharan
- 12.A.Elanchezhiyan
- 13.R.Sadasivam
- 14.M.Yunus
- 15.R.Jayavel
- 16.K.Deenadayalan
- 17.A.Nepolian
- 18.R.Kumar

... Petitioners

Vs

- 1.The General Manager,
Tamil Nadu State Transportation
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram Region,
Villupuram District - 605 602.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai, Chennai - 600 002.

... Respondents

In W.P.No.17452 of 2021

- 1.T.Radhakrishnan
- 2.S.Veeramani



3.P.Bakthvatchalu
4.C.Krishnamurthi
5.R.Vijaya
6.V.Rajendran
7.P.Ramalingam

... Petitioners

Vs

1.The General Manager,
Tamil Nadu State Transportation
Corporation (Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road, Cuddalore,
Cuddalore District - 607 002.

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

... Respondents

Common Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay interest @ 10% for the belated payment of gratuity, Leave Salary and commutation of pension amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajulu
(In both W.Ps)
For Respondents : Mr.C.S.K.Sathish
(In both W.Ps) Standing Counsel

COMMON ORDER

Though these writ petitions have been filed for a Mandamus, to direct the respondents to pay the petitioners interest at the rate of 10% per annum for the belated payment of the petitioners gratuity, leave salary and commutation of pension, in terms of the decision of this Court in W.P.No.15886 of 2020 vide order dated 19.01.2021, it is noticed that this view has been subsequently modified in W.P.No.506 of 2021 vide order dated 24.03.2021 considering the constraints of the State Finance due out break of Covid-19 Pandemic with the following observations:-

"(i) Respondent/Transport Corporation is directed to pay interest @ 4% per annum to the Petitioner for the belated payment of gratuity, leave salary and communication of pension amount that are yet to be settled, in six equal monthly



instalments, commencing 01.04.2021.

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(ii) In case of delay in making instalments within the time stipulated supra, with reference to the judgment of the Division Bench of this Court (supra), interest payable for the period of delay shall be at 6% per annum."

2. Considering the same, I am inclined to dispose these writ petitions by directing the respondents to pay interest at the rate of 4% per annum to the petitioners for the belated payment of gratuity, leave salary et cetera within a period of six months in six equated monthly instalments.

3. These Writ Petitions stand disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

arb

To

- 1.The General Manager,
Tamil Nadu State Transportation
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram Region,
Villupuram District - 605 602.
- 2.The General Manager,
Tamil Nadu State Transportation
Corporation (Villupuram) Ltd.,
Cuddalore Region,
No.2, Imperial Road, Cuddalore,
Cuddalore District - 607 002.
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai, Chennai - 600 002.



+2cc to Mr.S.T.Varadharajalu, Advocate, S.R.No.42134,42135
+2cc to Mr.C.S.K.Sathish, Advocate, S.R.No.42400, 42401

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KV (CO)
CB(17/09/2021)

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C.SARAVANAN, J.
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