



WEB COPY

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.17274, 17277 &17279 of 2021
(Through Video Conferencing)

M.Kumar

...Petitioner in
W.P.No.17274 of 2021

R.Ravi

...Petitioner in
W.P.No.17277 of 2021

S.Abdulmannan

...Petitioner in
W.P.No.17279 of 2021

Vs

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

2. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Represented by the General Manager,
Vellore Regional Office, Rangapuram,
Vellore - 632 009.

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

...Respondents in all W.Ps

Prayer in W.P.No.17274 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay interest amounts to the Service Gratuity and 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 the 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 dated 24.03.2021 in W.P.No.506 of 2021 by considering and passing orders on petitioner's representation dated 20.07.2021.

Prayer in W.P.No.17277 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus,



directing the respondents to pay interest amounts to the Service Gratuity and Commutation of pension amount at the rate of 4% per annum for 19 months of delayed payment in accordance with the Order dated 12.06.2015 of the 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 dated 24.03.2021 in W.P.No.506 of 2021 by considering and passing orders on petitioner's representation dated 20.07.2021.

Prayer in W.P.No.17279 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay interest amounts to the Service Gratuity and Leave Salary at the rate of 4% per annum for 18 months of delayed payment in accordance with the Order dated 12.06.2015 of the 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 dated 24.03.2021 in W.P.No.506 of 2021 by considering and passing orders on petitioner's representation dated 20.07.2021.

For Petitioners : Mr.N.Ishak
(In all W.Ps)

For Respondents : Mr.C.S.K.Sathish
(In all W.Ps) Standing Counsel

COMMON ORDER

These writ petitions have been filed for a Mandamus, to direct the respondents to pay the petitioners interest at the rate of 4% per annum for the belated payment of the petitioners service gratuity, leave salary and commuted value of pension, in terms of the decision of the Hon'ble Division Bench of this Court in W.A(MD).Nos.383 to 457 of 2015 vide order dated 12.06.2015. The above 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.

(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 service 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

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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.,
Vellore Regional Office,
Rangapuram,
Vellore - 632 009.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+3ccs to Mr.N.Ishak, Advocate, S.R.No.42138,42139,42140

+3ccs to Mr.C.S.K.Sathish , Advocate, S.R.No.42407,42408,42409

W.P.Nos.17274, 17277 &17279 of 2021

JPL[co]
NSK 27/09/2021