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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.17304, 17310 &17312 of 2021

(Through Video Conferencing)

G.Devarajan

... Petitioner in
W.P.No.17304 of 2021

P.Dharuman

... Petitioner in
W.P.No.17310 of 2021

M. Kandasamy

... Petitioner in
W.P.No.17312 of 2021

Vs

1. Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Represented 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.

... Respondents in all W.Ps

Prayer in W.P.Nos.17304 & 17310 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the petitioners interest at the rate of 6% per annum for the belated payment of the petitioner's gratuity, earned leave salary and provident fund.

Prayer in W.P.No.17312 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the petitioner's interest at the rate of 6% per annum for the belated payment of the petitioner's gratuity and earned leave salary.

For Petitioners
(In all W.Ps)

: Ms.H.Nandhini



For Respondents
(In all W.Ps)

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

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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 6% per annum for the belated payment of the petitioners gratuity, earned leave salary and provident fund, 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.

(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. In view of 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, earned leave salary et cetera within a period of six months in six equated monthly instalments. These Writ Petitions stand disposed of with the above observations. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

arb



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.

+3ccs to Mr.V.Ajoy Khose, Advocate, S.R.No.42396,42397,42398

+3ccs to Mr.C.S.K.Sathish, Advocate, S.R.No.42402,42403,42404

W.P.Nos.17304, 17310 &17312 of 2021

JPL(CO)
SU(01/11/2021)