



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.18522 OF 2021

(Through Video Conferencing)

M.Palani

... Petitioner

.Vs.

1. The Managing Director,
The Tamil Nadu State Transport
Corporation (VPM) Ltd.,
No.3/137, Salamedu,
Vazhuthareddy Post,
Villupuram - 605 602.
2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay interest 4% for the belated payment of the gratuity, leave salary, commutation of pension and other benefits to the petitioner for the period from 31.03.2020 (the date of retirement) to 02.06.2021 (the date of settlement) by following the order passed in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015 and in C.M.P.No.6352 of 2018 in W.A.No.665 of 2018 dated 13.07.2018.

For Petitioner : Mr.P.Kirthana Mayuri

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



ORDER

Though this writ petition has been filed for a Mandamus, to direct the respondents to pay interest 4% for the belated payment of the gratuity, leave salary, commutation of pension and other benefits to the petitioner for the period from 31.03.2020 (the date of retirement) to 02.06.2021 (the date of settlement) by following the order passed in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015 and in C.M.P.No.6352 of 2018 in W.A.No.665 of 2018 dated 13.07.2018, 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. Considering the same, this Writ Petition is disposed by directing the respondents to pay interest at the rate of 4% per annum to the petitioner for the belated payment of gratuity, leave salary etc., within a period of six months in six equated monthly instalments.

3. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
The Tamil Nadu State Transport
Corporation (VPM) Ltd.,
No.3/137, Salamedu,
Vazhuthareddy Post,
Villupuram - 605 602.
2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.V.S.Jagadeesan, Advocate, S.R.No.44801

W.P.NO.18522 OF 2021

RLD(CO)
PBS/06/10/2021