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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.18500 OF 2021

AND

W.M.P.NO.19730 OF 2021

(Through Video Conferencing)

1. M.Murugesan
2. K.Paneer Selvam
3. M.Selvarajan
4. I.Mahendran
5. S.Sekar
6. D.Durai
7. T.Ambika Doss
8. T.Paneer Selvam
9. K.Krishna Murthy
10. M.Manoharan
11. B.Naryanan
12. B.Udhaya Kumar
13. K.Balasubramanian
14. A.Arputhasamy
15. M.Mummoorthi
16. K.Soundararajan

... Petitioners

.Vs.

M/s.The State Express Transport Corporation,
Rep by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondent

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent herein to settle 6% interest for the belated settlement of terminal benefits to petitioners herein, by considering the representation of the petitioners herein dated 14.08.2021.



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For Petitioners : Mr.D.Soundar Raj

For Respondent : Mr.K.Kathiresan

ORDER

This writ petition has been filed for a Mandamus, to direct the respondent herein to settle 6% interest for the belated settlement of terminal benefits to petitioners, in terms of the decision of this Court in W.P.No.15886 of 2020 vide order dated 19.01.2021. However, 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 settlement of terminal benefits 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

The Managing Director,
The State Express Transport Corporation,
No.2, Pallavan Salai,
Chennai - 600 002.

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+1cc to Mr.K.Kathiresan, Advocate, S.R.No.44852
+1cc to Mr.D.Soundar Raj, Advocate, S.R.No.44728
+1cc to the Government Pleader, S.R.No.45562

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RSI (CO)
PBS/15/11/2021