



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18856 of 2021

(Through Video Conferencing)

A.Rajendran

... Petitioner

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,
Rep by The General Manager,
Kancheepuram Regional Office,
Karapettai,
Chennai Bangaluru Highway,
Kancheepuram - 631 552.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
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 amounts to the Provident Fund, Commutation of Pension amount and Service Gratuity at the rate of 4% per annum for 14 months of delayed payment in accordance with the Order dated 12.06.2015 of the Hon'ble Division Bench of this 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 representation dated 06.08.2021.

For Petitioner : Mr.N.Ishak

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



ORDER

Though this writ petition has been filed for a Mandamus, to direct the respondents to pay interest amounts to the Provident Fund, Commutation of Pension amount and Service Gratuity at the rate of 4% per annum for 14 months of delayed payment, 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 delayed payment of provident fund, commutation of pension amount 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-VIII)

//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,
Kancheepuram Regional Office,
Karapettai, Chennai Bangaluru Highway,
Kancheepuram - 631 552.

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

+1cc to Mr.N.Ishak, Advocate, S.R.No.45391

W.P.No.18856 of 2021

SV I(CO)
GN(11/10/2021)