



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.19872, 19874, 19876, 19877, 19879, 19883, 19884,
19885, 19888, 19890, 19891 & 19892 of 2021

(Through Video Conferencing)

1.K.Valluvan	... Petitioner in W.P.No.19872 of 2021
2.S.Arumugam	... Petitioner in W.P.No.19874 of 2021
3.K.Muthusamy	... Petitioner in W.P.No.19876 of 2021
4.P.Chandrasekaran	... Petitioner in W.P.No.19877 of 2021
5.P.Chidambaram	... Petitioner in W.P.No.19879 of 2021
6.P.M.Rajendran	... Petitioner in W.P.No.19883 of 2021
7.S.Subramanian	... Petitioner in W.P.No.19884 of 2021
8.K.Dhayanithi	... Petitioner in W.P.No.19885 of 2021
9.K.Thangavel	... Petitioner in W.P.No.19888 of 2021
10.S.Nagarajan	... Petitioner in W.P.No.19890 of 2021
11.R.Arumugam	... Petitioner in W.P.No.19891 of 2021
12.A.Rajamanickam	... Petitioner in W.P.No.19892 of 2021

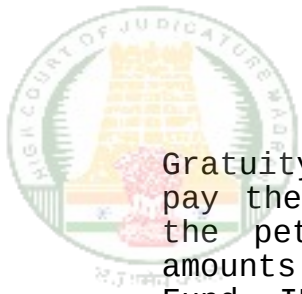
Vs

1.Tamil Nadu State Transport
Corporation (Salem) Limited,
Represented by The Managing Director,
No.12, Ramakrishna Road,
Salem - 7.

2.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Represented by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents in all W.Ps

Common Prayer: Petitions 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 their Provident Fund,



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Gratuity, Commuted Value of Pension and Earned Leave Salary, to pay them wages towards 30 days of earned leaves surrendered by the petitioners, while they were in service; to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contributions and to refund of contributions under the Post Retirement Benefit Scheme, together with interest at the rate of 6% within a specified time, as may be fixed by this Hon'ble Court Award costs.

For Petitioners : Ms.H.Nandhini
(In all W.Ps)

For Respondents :
(In all W.Ps)

For R1 : Mr.D.Raghu
Standing Counsel

For R2 : Mr.C.S.K.Sathish
Standing Counsel

COMMON ORDER

Though these writ petitions have been filed for a Mandamus, to direct the respondents to pay interest at the rate of 6% per annum for the belated payment of the petitioners Provident Fund, Gratuity, Commuted Value of Pension and Earned Leave Salary, to pay wages towards 30 days of earned leaves surrendered by the petitioners, while they were in service, to settle the amounts payable under the Social Security Scheme, Family Benefit Fund, IRT Contributions and to refund of contributions under the Post Retirement Benefit Scheme, 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.”



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2. Considering the same, these Writ Petitions are disposed by directing the respondents to pay interest at the rate of 4% per annum to the petitioners for the belated payment of Provident Fund, Gratuity, Commuted Value of Pension and Earned Leave Salary etc., within a period of six months in six equated monthly instalments. No costs.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

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To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem - 7.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+12CCs to Mr.D.Raghu, Advocate, SR.Nos.48116, 48117, 48118,
48119, 48120, 48141, 48142, 48143, 48144, 48145, 48146, 48147

+1CC to Mr.V.Ajoy Khose, Advocate, SR.No. 47793

W.P.Nos.19872, 19874, 19876, 19877, 19879, 19883,
19884, 19885, 19888, 19890, 19891 & 19892 of 2021

SRA(CO)
B.VC (04/10/2021)