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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.19319, 19321, 19322, 19324,
19326 & 19327 of 2021

(Through Video Conferencing)

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|-------------------|---------------------------------------|
| 1. P.K.Srinivasan | ...Petitioner in W.P.No.19319 of 2021 |
| 2. S.Ramalingam | ...Petitioner in W.P.No.19321 of 2021 |
| 3. A.Neelakandan | ...Petitioner in W.P.No.19322 of 2021 |
| 4. S.Kuppusamy | ...Petitioner in W.P.No.19324 of 2021 |
| 5. C.Ramalingam | ...Petitioner in W.P.No.19326 of 2021 |
| 6. V.Rajendran | ...Petitioner in W.P.No.19327 of 2021 |

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram Division),
Vallatha Reddy Post,
Villupuram.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

...Respondents in all W.Ps

3.The General Manager,
Tamil Nadu State Transport Corporation
(Tiruvannamalai Division),
By-pass Road, Vengikkal,
Tiruvannamalai - 606 604.

...Respondents in W.P.No.19326 of 2021

Prayer in W.P.No.19319 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider the representations of the petitioner dated 11.11.2019 and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.



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Prayer in W.P.No.19321 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider the representations of the petitioner dated 17.01.2020 and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.

Prayer in W.P.No.19322 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider the representations of the petitioner dated 12.11.2019 and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.

Prayer in W.P.No.19324 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider the representations of the petitioner dated 21.12.2019 and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.

Prayer in W.P.No.19326 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider the representations of the petitioner dated 04.03.2021 and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.

Prayer in W.P.No.19327 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider the representations of the petitioner dated 28.11.2019 and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.

For Petitioners : Mr.S.Ravi
(In all W.Ps)

For Respondent : Mr.C.S.K.Sathish
(In all W.Ps)

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 10% for the late payment of the gratuity amount and 12% interest for other legal dues, 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:-

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"(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 etc., 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 IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram Division),
Vallatha Reddy Post,
Villupuram.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.



3.The General Manager,
Tamil Nadu State Transport Corporation
(Tiruvannamalai Division),
By-pass Road, Vengikkal,
Tiruvannamalai - 606 604.

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+4ccs to M/s.S.Ravi, Advocate Sr Nos.46443, 46445, 46446, 46447.

W.P.Nos.19319, 19321, 19322, 19324,
19326 & 19327 of 2021

SRA (CO)
PR (12/10/2021)