



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20844 of 2021
(Through Video Conferencing)

L.Selvi

... Petitioner

Vs

1.The Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Salai,
Coimbatore - 641043.

2. The Tamil Nadu State Transport Corporations
Employees Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam,
Pallavan Saalai,
Chennai - 2.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the petitioner interest for the belated payment of P.F Gratuity, commuted value of pension and encashment of earned leave / sick leave, at the rate of 4% per annum for the belated payment of the P.F., Gratuity, commuted value of pension and encashment of earned leave/sick leave.

For Petitioner : Ms.H.Nandhini

For Respondents : Mr.A.Sundaravadhanam

ORDER

This writ petition has been filed for a Mandamus, to direct the respondents to pay the petitioner interest for the at the



rate of 4% per annum for the belated payment of the P.F., Gratuity, commuted value of pension and encashment of earned leave/sick leave, 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 belated payment of the P.F., Gratuity, commuted value of pension and encashment of earned leave/sick leave 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

//True Copy//

Sub Assistant Registrar

rgm/jas

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
No.37, Mettupalayam Salai,
Coimbatore - 641 043.



2. The Tamil Nadu State Transport Corporations
Employees Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam,
Pallavan Saalai,
Chennai - 2.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.50288

W.P.No.20844 of 2021

BS(CO)
SB(27/10/2021)