



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.20329, 20332, 20338, 20341,
20345 & 20347 of 2021

(Through Video Conferencing)

T.PALANISAMY	... Petitioner in WP No.20329 of 2021
K.S.PARIMALARAJU	... Petitioner in WP No.20332 of 2021
M.MURUGESAN	... Petitioner in WP No.20338 of 2021
P.GOPALAKRISHNAN	... Petitioner in WP No.20341 of 2021
SELLAKRISHNAN	... Petitioner in WP No.20345 of 2021
K.PALANIAPPAN	... Petitioner in WP No.20347 of 2021

Vs

1. Tamil Nadu State Transport Corporation, (Coimbatore) Ltd,
Rep by its Managing Director,
No.37, Mettupalayam Salai,
Coimbatore - 64103.
2. Tamil Nadu State Transport Corporations
Employee's Pension Fund Trust,
Rep by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

... Respondents in all W.P's

WP No.20329 of 2021:-

Writ Petition filed under Article 226 of the Constitution of India Directing the respondent to pay interest to the petitioner for the belated payment of P.F, earned leave salary, commuted value of pension and Gratuity at the rate of 4 percent per annum, within a specified time as may be fixed by this Honouable Court, Award costs.



WP No.20332 of 2021:-

Writ Petition filed under Article 226 of the Constitution of India Directing the respondent to pay interest to the petitioner for the belated payment of P.F, Gratuity, earned leave salary and commuted value of pension at the rate of 4 percent per annum, within a specified time as may be fixed by this Honouable Court, Award costs.

WP No.20338 of 2021:-

Writ Petition filed under Article 226 of the Constitution of India Directing the respondent to pay interest to the petitioner for the belated payment of P.F, Gratuity, earned leave salary and commuted value of pension at the rate of 4 percent per annum, within a specified time as may be fixed by this Honouable Court, Award costs.

WP No.20341 of 2021:-

Writ Petition filed under Article 226 of the Constitution of India Directing the respondent to pay interest to the petitioner for the belated payment of P.F, Gratuity, earned leave salary and commuted value of pension at the rate of 4 percent per annum, within a specified time as may be fixed by this Honouable Court, Award costs.

WP No.20345 of 2021:-

Writ Petition filed under Article 226 of the Constitution of India Directing the respondent to pay interest to the petitioner for the belated payment of P.F, Gratuity, earned leave salary and commuted value of pension at the rate of 4 percent per annum, within a specified time as may be fixed by this Honouable Court, Award costs.

WP No.20347 of 2021:-

Writ Petition filed under Article 226 of the Constitution of India Directing the respondent to pay interest to the petitioner for the belated payment of P.F, Gratuity, earned leave salary and commuted value of pension at the rate of 4 percent per annum, within a specified time as may be fixed by this Honouable Court, Award costs.

For Petitioner : Ms.H.Nandhini
(in all W.Ps)

For Respondent : Mr.A.Sundaravadhanam
(in W.P.Nos.20332, Standing Counsel
20338, 20341, 20329, in all W.P's.
20345&20347 of 2021)



COMMON ORDER

These writ petitions have been filed for a Mandamus, to direct the respondent to pay the petitioner interest at the rate of 4% per annum for the belated payment of P.F, earned leave salary, commuted value of pension and Gratuity, 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, these Writ Petitions are disposed by directing the respondent to pay interest at the rate of 4% per annum to the petitioner for the belated payment of P.F, Gratuity and Earned Leave salary etc., within a period of six months in six equated monthly instalments.

3. These Writ Petitions stand disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
Tamil Nadu State Transport
Corporation, (Coimbatore) Ltd,
No.37, Mettupalayam Salai,
Coimbatore - 64103.
2. Tamil Nadu State Transport Corporations
Employee's Pension Fund Trust,
Rep by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

+lcc to Mr.V.Ajoy Khose, Advocate, S.R.No.48932

W.P.Nos.20329, 20332, 20338, 20341,
20345 & 20347 of 2021

SJ(CO)
SU(08/10/2021)