



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.19981, 19983, 19984, 19986 & 19987 of 2021
(Through Video Conferencing)

1.C.Muthu	...	Petitioner in W.P.No.19981 of 2021
2.N.Sampathkumar	...	Petitioner in W.P.No.19983 of 2021
3.K.Selvaraj	...	Petitioner in W.P.No.19984 of 2021
4.S.Rathinavelu	...	Petitioner in W.P.No.19986 of 2021
5.P.Paramasivam	...	Petitioner in W.P.No.19987 of 2021
Vs		

Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Represented by its Managing Director,
Mettupalayam Road,
Coimbatore - 43. ... Respondent in all W.Ps

Common Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pay interest to the petitioners for the belated payment of Provident Fund, Gratuity and Earned Leave Salary at the rate of 4% per annum.

For Petitioners (In all W.Ps)	: Ms.H.Nandhini
For Respondent (In all W.Ps)	: Mr.A.Sundaravadhanan Standing Counsel



COMMON ORDER

Though these writ petitions have been filed for a Mandamus, to direct the respondent to pay interest at the rate of 4% per annum for the belated payment of the petitioners Provident Fund, Gratuity and Earned Leave Salary, 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, these Writ Petitions are disposed by directing the respondent to pay interest at the rate of 4% per annum to the petitioners for the belated payment of Provident Fund, Gratuity and Earned Leave Salary etc., within a period of six months in six equated monthly instalments. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

arb

To

The Managing Director,
Tamil Nadu State Transport Corporation, (Coimbatore) Limited,
Mettupalayam Road, Coimbatore - 43.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.47794

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AJS(CO)
SB(12/10/2021)