



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.20192, 20200, 20203, 20207, 20210 & 20212 of 2021

(Through Video Conferencing)

1.P.Anantharamakrishnan	...	Petitioner in W.P.No.20192 of 2021
2.S.Sivagurunatham	...	Petitioner in W.P.No.20200 of 2021
3.R.Jayakumar	...	Petitioner in W.P.No.20203 of 2021
4.A.Asathali	...	Petitioner in W.P.No.20207 of 2021
5.A.Rajasekar	...	Petitioner in W.P.No.20210 of 2021
6.V.Manivasagam	...	Petitioner in W.P.No.20212 of 2021

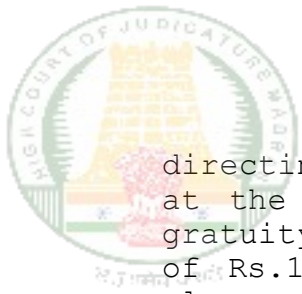
Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Kandampakkam Post, Villupuram - 605 401.
2. The General Manager,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Villupuram Region, Villupuram.

... Respondents in all W.Ps

Prayer in W.P.No.20192 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.6,85,955/- along with the computation to a tune of Rs.13,67,685/- and leave salary to a tune of Rs.10,27,925/- along with the future interest payable from the date of payment made till the date of realization.

Prayer in W.P.No.20200 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus



WEB COPY

directing the first and second respondents to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.13,65,120/- along with the computation to a tune of Rs.10,58,061/- and leave salary to a tune of Rs.6,53,153/- along with the future interest payable from the date of payment made till the date of realization.

Prayer in W.P.No.20203 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.11,27,925/- along with the computation to a tune of Rs.9,01,456/- and leave salary to a tune of Rs.6,92,085/- along with Provident Fund amount Rs.19,90,757/- the future interest payable from the date of payment made till the date of realization.

Prayer in W.P.No.20207 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.9,98,325/- along with provident fund to a tune of Rs.8,62,866/- and leave salary to a tune of Rs.5,40,099/- along with the future interest payable from the date of payment made till the date of realization.

Prayer in W.P.No.20210 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.10,43,732/- along with computation to a tune of Rs.9,01,456/- and leave salary to a tune of Rs.5,42,161/- along with the future interest payable from the date of payment made till the date of realization.

Prayer in W.P.No.20212 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to pay the interest at the rate of 18% per annum for the belated payment of the gratuity of Rs.9,09,090/- along with computation to a tune of Rs.7,24,761/- and leave salary to a tune of Rs.5,37,005/- along with the future interest payable from the date of payment made till the date of realization.

For Petitioners : Mr.P.Paramsiva Doss
(In all W.Ps)

For Respondents : Mr.C.S.K.Sathish
(In all W.Ps) 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 18% per annum for the belated payment of the petitioners Gratuity, Commutation Value of Pension, Provident Fund and Leave Salary, in terms of the decision of this Court in W.P.No.20163 of 2021 vide order dated 17.09.2021, 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 respondents to pay interest at the rate of 4% per annum to the petitioners for the belated payment of Gratuity, Commutation Value of Pension, Provident Fund, Leave Salary etc., within a period of six months in six equated monthly instalments. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

arb/nst



To

1. The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Kandampakkam Post,
Villupuram - 605 401.
2. The General Manager,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Villupuram Region,
Villupuram.

+1cc to Mr.P.Paramasiva Doss, Advocate, S.R.No.48355

W.P.Nos.20192, 20200, 20203,
20207, 20210 & 20212 of 2021

PCH(CO)
SU(13/10/2021)