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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.20986, 20989, 20990, 20991,
20992, 20993 & 20996 of 2021

(Through Video Conferencing)

1.K.Baskar	... Petitioner in W.P.No.20986 of 2021
2.D.Ganesan	... Petitioner in W.P.No.20989 of 2021
3.V.M.Sundaravadivelu	... Petitioner in W.P.No.20990 of 2021
4.G.Murugesan	... Petitioner in W.P.No.20991 of 2021
5.C.Rajamani	... Petitioner in W.P.No.20992 of 2021
6.C.Thulasithasan	... Petitioner in W.P.No.20993 of 2021
7.M.Sundararajan	... Petitioner in W.P.No.20996 of 2021

Vs

1.Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Represented by
The Managing Director,
3/137, Salamedu,
Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vellore Region, Rangapuram,
Vellore - 632 009.



3. Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Represented by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents in all W.Ps

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Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the petitioners interest at the rate of 6% per annum for the belated payment of the petitioners Gratuity, Earned Leave Salary and Commuted Value of Pension.

For Petitioners : Ms.H.Nandhini
(In all W.Ps)

For Respondents : Mr.G.Saravana Kumar
(In all W.Ps) Standing Counsel

COMMON ORDER

These writ petitions have been filed for a Mandamus, to direct the respondents to pay interest at the rate of 6% per annum for the belated payment of the petitioners Gratuity, Earned Leave Salary and Commuted Value of Pension, 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 respondents to pay interest at the rate of 4% per annum to the petitioners for the belated payment of



Gratuity, Earned Leave Salary and Commuted Value of Pension etc., within a period of six months in six equated monthly instalments. No costs.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

arb

To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
3/137, Salamedu,
Villupuram - 605 602.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vellore Region, Rangapuram,
Vellore - 632 009.
- 3.The Administrator,
Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.Ajoy khose, Advocate, S.R.No.51022

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PPA(CO)
CT/18/10/2021