



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20672 of 2021  
and  
WMP.No.21943 of 2021  
(Through Video Conferencing)

- 1.Manimaran S  
Superintendent,  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division - 2,  
Mettupalayam Road, Coimbatore -64`1 043.
- 2.A.Pannerselvam  
Assistant Engineer,  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division - 2,  
Mettupalayam Road, Coimbatore -641 043.
- 3.C.Rangarajan  
Special Grade Conductor,  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division - 2,  
Mettupalayam Road, Coimbatore -641 043.
- 4.A.Venkatachalam  
Foreman  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division - 2,  
Mettupalayam Road, Coimbatore -64`1 043.
- 5.K.Mohanasundaram  
Senior Superintendent,  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division - 2,  
Mettupalayam Road, Coimbatore -641 043.
- 6.S.Anand  
Senior Assistant,  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division - 2,  
Mettupalayam Road, Coimbatore - 641 043. ... Petitioners



Vs

1. Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division I  
Rep. by its Managing Director.  
No.37, Mettupalayam Road,  
Coimbatore.

2. The Administrator  
Tamil Nadu Pension Trust,  
Pallavan Salai,  
Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first Respondent herein to pay interest for the delayed payments made to the Petitioners in respect of Gratuity, Commutation, Provident Fund, Earned Leave etc.,

For Petitioner : Mr.D.Anand Raja

For Respondents : Mr.VPR. Elamparuthi  
Government Advocate

#### ORDER

This writ petition has been filed for a Mandamus, to direct the first Respondent herein to pay interest for the delayed payments 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 first respondent to consider the representation dated 12.08.2021 of the Petitioners and to pay interest at the rate of 4% per annum for the belated payment of Gratuity and other legal dues to the petitioners within a period of six months in six equated monthly instalments. No costs. Consequently, connected WMP is closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rrg  
To

1.The Managing Director.  
Tamil Nadu State Transport Corporation Ltd.,  
Coimbatore Division I  
No.37,Mettupalayam Road,  
Coimbatore.

2.The Administrator  
Tamil Nadu Pension Trust,  
Pallavan Salai,  
Chennai.

+lcc to M/s.A.Sundaravadhanan, Advocate Sr.49691  
+lcc to M/s.D.Anand Raja, Advocate Sr.49715

W.P.No.20672 of 2021

pmk[co]  
srg 18/10/2021