



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.8749, 8751,8752, 8754, 8758, 8760,
8762, 8767, 8770, 8772, 8780, 8782,
8786, 8789, 8793 and 8794 of 2022

1.R.Punniakotti	...	Petitioner in W.P.8749/2022
2.Y.Loordhusamy	...	Petitioner in W.P.8751/2022
3.S.Rajasekar	...	Petitioner in W.P.8752/2022
4.V.Asirvatham	...	Petitioner in W.P.8754/2022
5.M.Padmakumari	...	Petitioner in W.P.8758/2022
6.A.Deivakani	...	Petitioner in W.P.8760/2022
7.E.Ravichandran	...	Petitioner in W.P.8762/2022
8.P.Durai	...	Petitioner in W.P.8767/2022
9.C.Vivekanandan	...	Petitioner in W.P.8770/2022
10.P.Sekar	...	Petitioner in W.P.8772/2022
11.T.Kannia Kumaran	...	Petitioner in W.P.8780/2022
12.N.Rathnasabapathy	...	Petitioner in W.P.8782/2022
13.R.Elumalai	...	Petitioner in W.P.8786/2022
14.S.Thirunavukkarasu	...	Petitioner in W.P.8789/2022
15.K.Manivannan	...	Petitioner in W.P.8793/2022
16.A.Saravanan	...	Petitioner in W.P.8794/2022

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.
- 2.The Managing Director,
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Illam,
Mount Road, Pallavan Salai,
Chennai - 600 002.
- 3.The General Manager,
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Illam,
Mount Road, Pallavan Salai,
Chennai - 600 002. ...Respondents 1 to 3 in WP No.8751,8758,
8767,8780,8786 of 2022



4. The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension
Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

... Respondents 1 to 4 in WP 8749, 8752,
8754, 8760, 8762, 8770, 8772, 8782, 8789,
8793, 8794 of 2022

Common Prayer in all WP's : Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to settle the interest for the belated payment of retirement benefits along with Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Provident Fund and other retirement benefits payable to the petitioner with 18% rate of interest within the time frame stipulated by this Court.

in W.P 8749/2022

For Petitioner : Mr.N.Sudhagar Nagaraj

For RR1 & 3 : Mrs.S.Anitha
Special Government Pleader

For R4 : Mr.C.S.K.Sathish
Standing Counsel

COMMON ORDER

The relief sought for in the writ petitions is for a Mandamus seeking direction to the respondents to pay interest at the rate of 18% p.a. for the belated payment of retirement benefits.

2. No representation on behalf of the respondent Transport Corporation. Hence, this court directed Mrs.S.Anitha, learned Special Government Pleader to take notice for the respondents.

3. The facts and consideration and the issues involved in the writ petitions are one and the same and hence, this court passes the common order.

4. The petitioners were working as Checking Inspector/Time Keeper/Conductor/ Superintendent/ Driver/ Transport Inspector under the respondent Transport Corporation and they had retired



from service on attaining the age of superannuation on various dates during the year 2018, 2019 and 2020. But, the respondents have settled the retirement benefits such as Gratuity, Earned Leave, Commutation Provident Fund to the petitioners belatedly, without any interest. Hence, they made common representation dated 22.02.2022 to pay interest for the belated payment, but the respondents did not respond the same. Hence, the writ petitions.

5. The learned counsel appearing for the petitioners submitted that, the respondents have settled the retirement benefits to the petitioners, without any interest and despite request made by them, the respondents did not pay interest for the belated payment of retirement benefits.

6. In similar matter in W.P.No.635 of 2022, vide order dated 20.01.2022, this court has granted interest at the rate of 4% p.a. for the belated payment of retirement benefits and on the same line, this court is inclined to pass orders.

7. Accordingly, there shall be a direction to the respondents to pay penal interest at the rate of 4% per annum for the belated payment of retirement benefits to the petitioners, within a period of four months from the date of receipt of a copy of this order, subject to the condition that if the petitioners have not already given up their right for claiming interest for the retirement benefits. It is also made clear that in default, the respondent-Corporation shall have to pay the interest amount at the rate of 6% per annum to the petitioners.

8. With the above directions, the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

mst

To

1.The Secretary to Government of Tamil Nadu,
Transport Department,
Secretariat, Chennai - 600 009.



2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Illam, Mount Road, Pallavan Salai,
Chennai - 600 002.

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3.The General Manager,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Illam,
Mount Road, Pallavan Salai,
Chennai - 600 002.

4.The Administrator,
Tamil Nadu State Transport Corporation Employees Pension
Fund Trust, Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

+1cc to Mr..Sudhagar Nagaraj, Advocate SR.No.24984

+1cc to Government Pleader SR.No.25075

W.P.No.8749, 8751,8752, 8754,
8758, 8760, 8762, 8767, 8770,
8772, 8780, 8782, 8786, 8789,
8793 and 8794 of 2022

SVI (CO)
GMY (28/04/2022)