



WEB COPY



W.P.Nos.23336, 23337, 23339, 23343 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 01.09.2022**

**CORAM :**

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**W.P.Nos.23336, 23337, 23339, 23343 of 2022**

|                |                                   |
|----------------|-----------------------------------|
| N.Subramanian  | ..Petitioner in W.P.No.23336/2022 |
| P.Ravichandran | ..Petitioner in W.P.No.23337/2022 |
| P.Raman        | ..Petitioner in W.P.No.23339/2022 |
| S.Loganathan   | ..Petitioner in W.P.No.23343/2022 |

Vs.

The Management of  
Tamil Nadu State Transport Corporation(Kovai)Ltd,  
Rep. By its Managing Director,  
Coimbatore. ... Respondent in all W.Ps.

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India for Writ of Mandamus, directing the respondent to pay the petitioner interest at the rate of 18% per annum, for the period of delay from 01.04.2020 to 01.06.2021, 01.12.2019 to 24.01.2021, 01.10.2018 to 20.09.2019 and from 01.05.2018 to 18.09.2019 respectively, in paying the amounts paid towards the petitioners' terminal benefits namely EPF employee's contribution, Gratuity and Encashment of Earned/Sick Leaves within a time frame.



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For Petitioner : Ms.H.Nandhini  
[in all W.Ps.]  
For Respondent : Mr.M.Murali Vinodh  
[in all W.Ps.] Standing Counsel

### COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of learned counsel appearing for both sides, these writ petitions were heard together and are disposed of by this common order.

2. The prayer contains two reliefs, one is that seeking for interest at the rate of 18% for the belated payment of P.F., Gratuity, earned leave salary etc, and the second portion of the prayer is that, for paying certain amounts towards difference in gratuity and difference in dearness allowance.

3. Insofar as the first portion of the prayer is concerned, there could be no difficulty for the respondent Transport Corporation to consider the same and allow certain percentage of interest not less than 4% provided, if there is delay in paying the retirement benefits.



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4. Insofar as the second portion of the prayer sought for in this writ petition is concerned, though respective representations made in this regard on 18.04.2022, 13.04.2022, 03.08.2022 respectively by the petitioners, individually it would be considered on merits and a decision would be taken by the respondent and communicated to the petitioners within a time frame that may be stipulated by this Court, the counsel for respondent submitted.

5. Having regard to the said submission made by the learned counsel appearing for both sides especially the stand taken by the learned Standing Counsel appearing for the respondent Transport Corporation, this Court is inclined to dispose of this writ petition with the following orders:

- ◆ Insofar as the claim made by the petitioners in each of the writ petitions, the interest portion for the belated payment of retirement benefits is concerned, that can be considered and such interest would be calculated at the rate of 4% per annum and be paid to the petitioners.
- ◆ Insofar as the further claim that there is a difference in gratuity and dearness allowance as claimed by the petitioners is concerned, the



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**R.SURESH KUMAR, J.**

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respective representations to that effect shall be considered and decided by the respondent.

- ◆ The aforesaid action shall be complied with within a period of eight(8) weeks from the date of receipt of a copy of this order.

With these directions, these writ petitions are disposed of accordingly. No costs.

**01.09.2022**

Index : Yes/No  
Internet: Yes/No  
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To

The Managing Director,  
Tamil Nadu State Transport Corporation(Kovai)Ltd,  
Coimbatore.

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