



W.A(MD)No.1383 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.A(MD)Nos.1383, 1384 & 1385 of 2023

and

C.M.P(MD)Nos.10749, 10752 & 10753 of 2023

W.A(MD)No.1383 of 2023

1.The Tamilnadu State Transport Corporation
(Kumbakonam) Limited
represented by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Karaikudi.

... Appellants/Respondents

Vs.

K.R.Baskaran

...Respondent/Petitioner

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P(MD)No.5824 of 2022, dated 31.03.2022.



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W.A(MD)No.1384 of 2023

1.The Tamilnadu State Transport Corporation
(Kumbakonam) Limited
represented by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Karaikudi.

... Appellants/Respondents

Vs.

V.Kalanjium

...Respondent/Petitioner

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P(MD)No.5855 of 2022, dated 31.03.2022.

W.A(MD)No.1385 of 2023

1.The Tamilnadu State Transport Corporation
(Kumbakonam) Limited
represented by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Karaikudi.

... Appellants/Respondents

Vs.

M.Pandi

...Respondent/Petitioner



W.A(MD)No.1383 of 2023

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P(MD)No.5859 of 2022, dated 31.03.2022.

For Appellants : Mr.P.Balasubramanian

in all the cases

For Respondents : Mr.A.Rahul

in all the cases

COMMON JUDGMENT

(Judgment of the Court was delivered by **S.S.SUNDAR, J.**)

These writ appeals are directed against the orders of the learned Single Judge in W.P.(MD)Nos.5824, 5855 & 5859 of 2022, dated 31.03.2022.

2. The respondents in these appeals filed the writ petitions to settle their surrender leave salary of Rs.3,89,455/-, Rs.1,06,866/- and Rs.3,09,696/- respectively together with interest at the rate of 6% per annum payable from the date of their retirement to till the date of actual payment. The respondents/writ petitioners retired from service on 31.03.2020, 31.12.2019 and 30.04.2020 on attaining the age of superannuation. The liability towards the earned leave salary payable to the respondents was not paid to them. Since the



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delay was more than three years, the writ petitioners/respondents wants to early settlement with interest at the rate of 6% per annum from the date of their retirement to till the date of actual payment. All the writ petitions were allowed by the order dated 31.03.2022.

3. The learned counsel appearing for the appellants has now reported that the liability towards the earned leave salary has now been settled on 18.07.2022 and the interest need not be allowed. He further states that this Court may take into account the difficult time faced by the transport corporation on account of COVID-19, not to allow the interest on the delayed payment.

4. This Court consistently taken a view that employees are entitled to 6% interest for the delayed payment of terminal benefits. This Court is unable to find any error in the order of the learned Single Judge awarding 6% interest per annum for the retirement benefits.

5. Considering the request of the learned counsel for the appellants, this Court is inclined to grant twelve (12) weeks time to pay the interest to the writ petitioners/respondents at the rate of 6% per annum from the date of their



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retirement to till the date of actual payment.

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6.Accordingly, all these writ appeals are disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

[S.S.S.R., J.] [D.B.C., J.]
29.08.2023

Index : Yes / No
Internet : Yes/No
NCC : Yes/No
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S.S.SUNDAR, J.

and

D.BHARATHA CHAKRAVARTHY, J.

am

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