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W.P.Nos.8521, 8523 & 8540 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.8521, 8523 & 8540 of 2024

WP.No.8521 of 2024

G.Pushpa

...Petitioner

-Vs-

1.The Managing Director
Tamilnadu State Transport Corporation (Villupuram) Limited,
No.3/137, Salamedu,
Vizhupuram 605 602

2.The General Manager
Tamilnadu State Transport Corporation (Villupuram) Limited,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore,
Cuddalore District 607 002

3.The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai 600 002

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of gratuity, leave salary and commutation of



W.P.Nos.8521, 8523 & 8540 of 2024

pension amount to the petitioner.

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For petitioner : Mr.S.T.Varadarajalu

For respondents

For R1 & 2 : Mr.R.Venkatesa Perumal,
Standing Counsel

For R3 : Mr.C.S.K.Sathish,
Standing Counsel

WP.No.8523 of 2024

P.Mayilvaganam

...Petitioner

-Vs-

1.The Managing Director
Tamilnadu State Transport Corporation (Villupuram) Limited,
No.3/137, Salamedu,
Vizhupuram 605 602

2.The General Manager
Tamilnadu State Transport Corporation (Villupuram) Limited,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore,
Cuddalore District 607 002

3.The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai 600 002

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus directing the respondents to pay interest @



W.P.Nos.8521, 8523 & 8540 of 2024

10% for the belated payment of gratuity, leave salary and commutation of pension amount to the petitioner.

For petitioner : Mr.S.T.Varadarajalu

For respondents

For R1 & 2 : Mr.R.Venkatesa Perumal,
Standing Counsel

For R3 : Mr.C.S.K.Sathish,
Standing Counsel

WP.No.8540 of 2024

1.V.G.Chandiran
2.R.Christopher
3.J.Uma Maheswari

...Petitioners

-Vs-

1.The Managing Director
Metropolitan Transport Corporation(Chennai) Ltd.,
No.2, Anna Salai,
Chennai 600 002

2.The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai 600 002

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay interest @ 10% for the belated payment of gratuity, leave salary and commutation of



W.P.Nos.8521, 8523 & 8540 of 2024

pension amount to the petitioners.

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For petitioners : Mr.S.T.Varadarajalu

For respondents

For R1 : Mr.R.Venkatesa Perumal,
Standing Counsel

For R2 : Mr.C.S.K.Sathish,
Standing Counsel

COMMON ORDER

These writ petition have been filed for direction to the respondents to pay appropriate interest to the petitioner for the delayed sanction and disbursement of retirement benefits.

2. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents and perused the materials available on record.

3. In identical issues, this Court has passed various orders, justifying the payment of interest to the aggrieved pensioners and in the



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order dated 13.12.2019 in W.P.(MD).No.26481 of 2019, the following order came to be passed : -

"5. I am not in agreement with the said representation made. There was already a duty cast on the respondent Corporation to pay the terminal benefits on the date of retirement itself and the very fact that the belated disbursement of retirement benefit, had already put the retired employee to serious prejudice, entertaining the present request for disbursement of the interest on the belated payment in installments, could cause further prejudice to the retired employee.

6. In the light of the above observations, there shall be a direction to the respondent / Corporation to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement, till the date of the actual disbursement, as expeditiously as possible and in any event, not before the expiry of three month from the date of receipt of a copy of this order.

4. This Court is of the view that the respondents could be directed to pay the interest on the belated payment, at the rate of 6% per annum, as ordered in the above writ petitions.



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5. In the light of the above findings, there shall be a direction to the respondents herein to pay the interest on the belated payment of the terminal benefits to the petitioners at the rate of 6% per annum, commencing from the date of the retirement, till the date of actual disbursement, within a period of eight weeks from the date of receipt of copy of this order.

6. With the above direction, all the Writ Petitions are disposed of.

No costs.

27.03.2024

Neutral citation: Yes/No

(1/5)

Index : Yes/No

Internet: Yes/No

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To

- 1.The Managing Director
Tamilnadu State Transport Corporation (Villupuram) Limited,
No.3/137, Salamedu,
Vizhupuram 605 602
- 2.The General Manager
Tamilnadu State Transport Corporation (Villupuram) Limited,
Cuddalore Region,
No.2, Imperial Road,
Cuddalore,
Cuddalore District 607 002
- 3.The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai 600 002
- 4.The Managing Director
Metropolitan Transport Corporation(Chennai) Ltd.,
No.2, Anna Salai,
Chennai 600 002
- 5.The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
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G.K.ILANTHIRAIYAN, J.

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