

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 17.06.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.21684 of 2012

T.KRISHNAVENI

... PETITIONER

Vs.

1. TAMIL NADU STATE TRANSPORT CORPORATION (VILLUPURAM) LTD
REP. BY ITS MANAGING DIRECTOR
VAZHUDHAREDDY VILLUPURAM.
 2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
KANCHEEPURAM REGION
KANCHEEPURAM.
 3. TAMIL NADU STATE TRANSPORT CORPORATIONS EMPLOYEES PENSION FUND TRUST
REP. BY ITS ADMINISTRATOR
THIRUVALLUVAR ILLAM,
PALLAVAN SALAI, CHENNAI-2.
 4. THE ASSISTANT MANAGER (P.F.TRUST)
TAMIL NADU STATE TRANSPORT CORPORATION (VILLUPURAM) LTD
KANCHEEPURAM REGION, KANCHEEPURAM.
- ... RESPONDENTS

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of certiorarified Mandamus, calling for the records pertaining to the orders dated 12.8.2005 and 2.9.2005 in Letter No.K.No.101/Pension/TNSTC/ Kancheepuram/05 passed by the 4th respondent quash the same and consequently direct the respondents to pay the petitioner pension from July 2005 to 12.12.2010 payable to her husband and Family Pension from 13.12.2010 with arrears and other consequential benefits together with interest award costs.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.S.Sairaman (for R1 & R2)
Standing Counsel - Transport
Corpn.
Mr.G.Muniratnam (R3 & R4)

O R D E R

This writ petition has been filed by the petitioner, challenging the orders dated 12.08.2005 and 02.09.2005 in Letter No.K.No.101/Pension/TNSTC/Kancheepuram/05 passed by the fourth respondent and to quash the same and consequently, to direct the respondents to pay her pension from July 2005 to 12.12.2010 payable to her husband and Family Pension from 13.12.2010 with arrears and other consequential benefits together with interest and award costs.

2.Heard the learned counsel for the petitioner as well as the learned Standing Counsels for the respondents.

3.When the matter came up for hearing today, the learned Standing counsel for the respondents 1 & 2 brought the letter of the second respondent/General Manager, Tamil Nadu State Express Transport Corporation (Villupuram) Ltd., Kancheepuram, in which, it is stated that a sum of Rs.5,24,768/-is due to the petitioner and they are ready to pay the same in installments.

4.The learned counsel for the petitioner submitted that though the amount is payable from the year 2005, the second respondent has not given any interest for the due amount. He further submitted that even as per the decision of the Hon'ble Supreme Court, the petitioner is entitled for interest.

5.The learned counsel for the respondents submitted that the transport corporation is in very much great difficult position and in financial crunch and sought time to disburse the due amount payable to the petitioner in installments.

6.Considering the submission made on either side, this Court directs the second respondent/transport corporation to disburse the amount due to the petitioner in three installments which is as follows:

I	Installment	-	01.09.2016
II	Installment	-	01.12.2016
III	Installment	-	31.01.2017

It is made clear that if the second respondent/transport corporation fails to comply with the above said direction of payment of any one of the installments, the petitioner is entitled to claim interest at the rate of 9% till the disbursement of the due amounts.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

DP

To

1. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LTD
VAZHUDHAREDDY VILLUPURAM.
2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
KANCHEEPURAM REGION
KANCHEEPURAM.
3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT
CORPORATIONS EMPLOYEES PENSION FUND TRUST
THIRUVALLUVAR ILLAM,
PALLAVAN SALAI, CHENNAI-2.
4. THE ASSISTANT MANAGER (P.F.TRUST)
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LTD
KANCHEEPURAM REGION, KANCHEEPURAM.

+1cc to Mr.V.Ajay Khose, Advocate, S.R.No.33483

+1cc to Mr.S.Sairaman, Advocate, S.R.No.33439

W.P No.21684 of 2012

BVR(CO)
CA(13/07/2016)

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