

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 13.7.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.23995 OF 2016

D.Murthi

... petitioner

versus

M/s.Tamil Nadu State Transport  
Corporation (Kovai) Ltd. Rep. by its  
Managing Director No.37 Mettupalayam Salai  
Coimbatore-43. ... respondent

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Gratuity amount of Rs.5 41 080/- commutation amount of Rs.2 43 495/- Surrender of earned leave amount of Rs.2,97,500/- Social Security Scheme amount of Rs.35 000/- and already surrendered earned leave amount of Rs.70 000/- altogether a sum of Rs.11 87 075/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 20.06.2016 by revising the salary of the petitioner as per the wage settlement arrived on 01.09.2013 under section 12(3) of the Industrial Disputes Act 1947.

For petitioner ... Mr.D.Soundarraaj

For respondents ... Mr.R.S.Selvam

O R D E R

Heard Thiru.D.Soundarraaj, learned counsel for the petitioner and Thiru.R.S.Selvam, learned counsel for the respondents.

2. With the consent of both the sides, the Writ Petition is taken up for disposal.

3. The petitioner is an employee of the respondent/Transport Corporation and has attained the age of superannuation and retired from service. However, his pensionary benefits has not been settled and therefore, the petitioner has approached this Court and filed the present Writ Petition to consider his representation for grant of pension.

4. It is brought to the notice of this Court by the learned counsel appearing on either side that this Court has considered a similar Writ Petition, and following the order passed by the

Hon'ble Division Bench in the case of K.Rajendran and others vs. The Tamil Nadu State Transport Corporation (Madurai) Ltd. represented by its Managing Director, Madurai and others), dated 12.6.2015, issued directions to the respondent Corporation to settle the entire terminal benefits due and payable to the petitioner in twelve equal installments, carrying interest @ 6% p.a.

5. In the light of the said order, this Writ Petition is disposed of with a direction to the respondent/Corporation to settle the entire terminal benefits due and payable to the petitioner in twelve equal installments, carrying interest @ 6% p.a. First of such installments shall commence from August 2016. All the payments shall be paid on 7<sup>th</sup> of each month. In the event of delay in payment of any one of the installments, the same shall be payable along with interest at 18% p.a., for the delayed payment, and leaving it open to the petitioner to invoke other remedies available to them in the event of such non payment of installments.

6 . The Writ Petition stands disposed of as indicated above. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

Managing Director  
M/s.Tamil Nadu State Transport  
Corporation (Kovai) Ltd. Rep. by its  
No.37 Mettupalayam Salai  
Coimbatore-43.

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