



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2016

CORAM

THE HON'BLE Dr. JUSTICE S.VIMALA

W.P(MD) No.17696 of 2014

WEB COPY

V.Rengaraj

... Petitioner

-vs-

1.The Managing Director,
Tamil Nadu Transport Corporation
(Madurai) Ltd., Bye Pass Road, Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Dindigul Region,
Bye Pass Road, Dindigul.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorarified Mandamus to call for the records pertaining to the impugned order of the 2nd respondent in Ref. LD: L1:7571/14 dated 01.07.2014 quash the same as illegal and consequently direct the Respondents to disburse the petitioner's retirement benefit of earned leave salary of Rs.2,19,288/- at the rate of 18% interest per annum from the date of his retirement i.e. 31.07.2011 within a time stipulated by this Court.

For Petitioner
For Respondents

: Mr.J.Lawrance
: Mr.A.Jeyaram

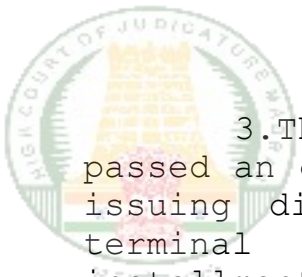
O R D E R

You can be young without money but you can't be old without it.
..Tennessee Williams

So pleads the petitioner, praying for disbursement of retirement benefits.

The petitioner was employed as Traffic Inspector in the respondent corporation and he retired from service on 31.07.2011 on reaching the age of superannuation.

2.Since retirement benefits have not been disbursed, several representations have been made before the respondents. By the impugned order dated 01.07.2014, the first respondent has given reply to the effect that retirement benefits will be settled on the basis of seniority. Challenging the said impugned order and also seeking a direction to the respondents to disburse the petitioner's retirement benefit of earned leave salary of Rs.2,19,288/- at the rate of 18% interest per annum from the date of his retirement i.e., from 31.07.2011, this Writ Petition has been filed.



3. The First Bench of this Court in similar matter has passed an order dated 12.06.2015 in W.A(MD)Nos.383 to 457 of 2015, issuing direction to the transport corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest on the terminal benefits payable to the workman. The Bench has also held that workman is entitled to 18% interest for the defaulted period of installments.

4. Under the stated circumstances, the writ petition is disposed of with the following directions:-

(i) A direction is issued to the transport corporation to settle the terminal benefits of the petitioner that are yet to be settled, in twelve equal monthly installments.

(ii) The first installment shall commence by making payment on or before 1st week of January, 2017 and the amount in each of the remaining installments shall be paid on or before 10th of every succeeding month.

(iii) The said terminal amount shall carry interest @ 6% per annum as per the Division Bench judgment referred to above. In case of delay in making installments, the interest payable could be 18% for the delayed period.

5. The aforesaid direction to settle the terminal benefits would not preclude the workman to question the computation of any of the terminal benefits, if the same is paid lesser than the amount to which, he is entitled to receive. Likewise, if the petitioner has any grievance that he is entitled to interest for the amount already settled, he can agitate the same as per law, if he is entitled. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Managing Director,
Tamil Nadu Transport Corporation
(Madurai) Ltd., Bye Pass Road, Madurai.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Dindigul Region,
Bye Pass Road, Dindigul.

+One cc to Mr.J.lawrence, Advocate, SR.No.72554

mj

RL/4C/2P/SKS/RR/9.12.2016

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