



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P (MD) No.22857 of 2015

C.Murugaiyan

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Pension-Fund Trust, Thiruvalluvar House,
Pallavar Salai, Chennai -2.

3.The Assistant Secretary,
Labour and Employment Department,
Government of Tamil nadu, Chennai -9.

4.The Managing Director,
Tamil Nadu State Transport Corporation,
Periyamilaguparai, Trichy -1.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents to settle his retirement benefits including Leave Salary and all other attendant benefits with interest at the rate of 18% per annum within a stipulated time, in the light of the order passed in I.D.No.44 of 2002 passed by the Labour Court, Trichy, and further directing the respondents to pay interest at the rate of 18% per annum for the belated payment of Gratuity, the commuted value of pension with a stipulated time.

For Petitioner	:	Mr.P.Parthiban
For R1 & R4	:	Mr.D.Sivaraman
For R2	:	Mr.A.P.Muthupandian
For R3	:	Mr.M.Murugan
		Government Advocate

O R D E R

The petitioner was employed as Senior Conductor in the respondent Corporation and he Voluntarily retired from service on 31.12.2003.

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2.He has filed this writ petition seeking for a direction to the respondents to pay the retirement benefits.

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 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.In these 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 First week of December, 2016, 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;

iv) 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(Writs)

/True Copy/

Sub Assistant Registrar



To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.
- 2.The Administrator,
Tamil Nadu State Transport Corporation,
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SMA/KM/18.11.2016:3P/5C