BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.1016 of 2016

T.Murugesan ... Petitioner

Vs.

1.The Management of
Tamilnadu State Transport Corporation(Madurai) Ltd.,
Madurai Region,
Rep. By its Managing Director,
Madurai.

2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to pay the petitioner Rs.13,09,209/- towards Gratuity and Rs.5,31,553/- towards Leave Salary together with 18% interest per annum and further directing the respondents to pay him interest amount towards the delayed payment of the pension commutation amount Rs.5,86,338/- for the period from 30.04.2013 to 06.11.2013 at the rate of 18% p.a., as per TNSTC Employees Pension Fund Scheme, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.A.P.Muthupandian

O R D E R

The petitioner was employed as Junior Engineer in the respondent transport corporation and he retired from service on 30.04.2013 on reaching the age of superannuation.

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 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.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 monthly installments.

(ii)The first installment shall commence by making payment on or before 10.03.2016 and the amount in each of the remaining installments shall be paid on or before 10th day 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.

6. The learned counsel for the respondent Corporation says that against certain employees, there are recoverables from them. So, the above payment may be made subject to recoverables from the employees. The petitioner is also agreeable for the same. No costs.

Sd/-
Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1.The Management of
Tamilnadu State Transport Corporation(Madurai) Ltd.,
Madurai Region, Rep. By its Managing Director, Madurai.

2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai, Chennai-2.

+one cc to M/s.S.Arunachalam, Advocate in SR.No.7180

W.P(MD)No.1016 of 2016
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CSL/SKS-RR/SAR-I/15.02.2016/2P/4C