



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

W.P (MD) No.12462 of 2016

Jeyarani

: Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.
rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Pudukkottai Region, Pudukkottai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to settle terminal benefits of the petitioner's husband Late. M.Chandradoss to her including Gratuity, Family Benefit Fund, Earned Leave Salary and all other attendant benefits together with interest at the rate of 18% per annum payable from the date of retirement of the petitioner's husband from the service of the 1st respondent corporation to till the date on which the above benefits are settled to her and pass such further or other orders as this Honble Court.

For Petitioner	: Mr.A.Rahul
For Respondents	: Mr.D.Sivaraman

ORDER

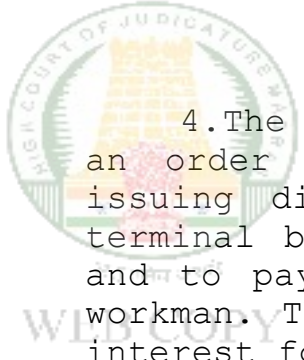
You can be young without money but you can't be old without it.

..Tennessee Williams

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

2.The husband of the petitioner was employed as Senior Driver in the respondent Corporation and he passed away on 06.11.2013, while he was in service.

3.She has filed this writ petition seeking for a direction to the respondents to pay the retirement benefits of her husband.



4.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.

5.In these circumstances, this 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 husband 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 the First 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;

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, she is entitled to receive. Likewise, if the petitioner has any grievance that she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd., Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Pudukkottai Region, Pudukkottai.

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 74096

+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 74549

SMN