



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2016

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Writ Petition (MD) No.1365 of 2016

S.Mathivelan

...Petitioner

Vs.

1) The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited.,
By-pass Road,
Madurai.

2) The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited.,
Dindigul Region, By-pass Road,
Dindigul.

3) The Branch Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited.,
Cumbum - Branch-II,
Cumbum-625 516,
Uthamapalayam Taluk,
Theni District.

...Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to pay Earned Leave, Surrendered Leave for 154 days, Welfare Fund Pension, Dearness Allowance, Pension, Gratuity, Provident Fund, Pending Commutation Wages pending arrears Salary as per the settlement entered between the Corporation Employees and Transport Corporation, Dearness Allowances, payable with monthly pension with reasonable rate of interest and other eligible benefits payable to the petitioner within the time limit that may be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Guhan
For Respondents : Mr.A.P.Muthupandian

O R D E R

The petitioner was employed as a Driver in the respondent corporation and he retired from service on 30.06.2015 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 the 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 10.02.2016 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.

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(Records)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1) The Managing Director,
Tamil Nadu State Transport Corporation(Madurai) Limited.,
By-pass Road, Madurai.

2) The General Manager,
Tamil Nadu State Transport Corporation(Madurai) Limited.,
Dindigul Region, By-pass Road, Dindigul.

3) The Branch Manager,
Tamil Nadu State Transport Corporation(Madurai) Limited.,
Cumbum - Branch-II, Cumbum-625 516,
Uthamapalayam Taluk, Theni District.

+1cc to M/s.K.Guhan, Advocate in SR.3655

W.P (MD) No.1365 of 2016
21.01.2016

nbi

PBK/PM-MP/SAR-II 27/01/2016 ::2P-5C:: (IT)