



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 10.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA  
W.P(MD)No.15123 of 2016

L.Amarnath

... Petitioner

vs.

1.The Management of  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Pudukottai Region,  
rep.by its General Manager, Pudukottai.

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

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing Respondents to pay the petitioner Gratuity, Leave Salary, EPF Employees contribution and etc. and further directing the respondents to pay him pension and pension arrears from July 2009 and pension commutation under the TNSTCE Pension Fund Rules together with 18% interest per annum within a time frame as may be fixed by this Court.

|                |                       |
|----------------|-----------------------|
| For Petitioner | : Mr.S.Arunachalam    |
| For R - 1      | : Mr.D.Sivaraman      |
| For R - 2      | : Mr.A.P.Muthupandian |

#### ORDER

This Writ petition has been filed seeking a direction to the respondents to pay the petitioner Gratuity, Leave Salary, EPF Employees contribution and etc. and further directing the respondents to pay him pension and pension arrears from July 2009 and pension commutation under the TNSTCE Pension Fund Rules together with 18% interest per annum

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3.The learned counsel for the first respondent would submit that against the order of dismissal passed against the petitioner, he filed I.D.No.22 of 2006 before the Labour Court, Trichirapalli and the same was disposed of with a direction to the first respondent to pay all the terminal benefits. Hence, this court may pass orders in the light of the orders passed in I.D.No.22 of 2006 dated 18.02.2016.

<https://hcservices.ecourts.gov.in/hcservices/>

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 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.

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6. In view of the submission made by the learned counsel for the first respondent, 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 1<sup>st</sup> week of January, 2017 and the amount in each of the remaining installments shall be paid on or before 10<sup>th</sup> 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.

7. 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.

8. It is made clear that the terminal benefits should be paid in terms of the above stated conditions and also in terms of the award passed in I.D.No.22 of 2006 dated 18.02.2016. No costs.

Sd/

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar.

To

1. The General Manager, The Management of  
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,  
Pudukottai Region, Pudukottai.

2. The Administrator, Tamil Nadu State Transport Employees  
Pension Fund Trust, Thiruvalluvar Illam, Anna Salai, Chennai - 2.  
+1CC to M/S.S.Arunachalam, Advocate, SR.No. 68269  
+1CC to M/S.D.Sivaraman, Advocate, SR.No. 67813

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