



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.17499 of 2016

R.Karpagam

... Petitioner

vs.

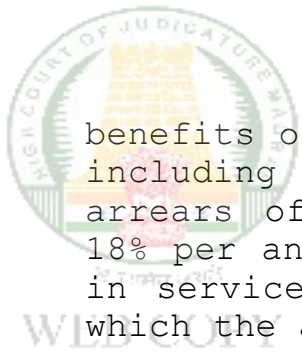
1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.
 2. The Finance Adviser and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.
 3. The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Karaikudi.
 4. The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the terminal benefits of the petitioner's husband Late T.Renganatha Sekar to her including gratuity of Rs3,06,462/-, monthly family pension arrears of Rs.1,36,828/- together with interest at the rate of 18% per annum payable from the date of death of her husband while in service of the 1st respondent Corporation to till the date on which the above benefits are settled to her.

For Petitioner : Mr.A.Rahul
For R1 to R3 : Mr.D.Sivaraman
For R4 : No Representation

O R D E R

1. This writ petition has been filed by the wife of the deceased employee of the Transport Corporation, who died in harness, seeking to direct the respondents to settle the terminal



benefits of the husband of the petitioner Late T.Renganatha Sekar, including gratuity of Rs.3,06,462/-, monthly family pension arrears of Rs.1,36,828/- together with interest at the rate of 18% per annum payable from the date of death of her husband while in service in the 1st respondent Corporation to till the date on which the above benefits are settled to her.

2. Heard the learned counsel on either side.

3. In cases relating to payment of retiral benefits to employees of Transport Corporation, this Court has already passed several orders, directing the respondents to pay the benefits by installments in the light of the judgment of the Hon'ble Division Bench of this Court dated 12.06.2015 passed in W.A.(MD) Nos.383 to 457 of 2015.

4. In the present case on hand, the wife of the deceased employee has filed this writ petition for payment of her husband's retiral benefits to her. It is the case of the petitioner that her husband, namely, Late T.Renganatha Sekar was employed as Senior Grade Driver at Kamuthi Branch of the 1st respondent Corporation and that he suffered a massive heart attack and died on 29.09.2014, leaving behind his wife, two daughters and two sons as legal heirs.

5. The usual order of payment of retiral benefits by installments cannot be passed in this case. 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 monthly family pension arrears to the petitioner within a period of one month from the date of receipt of a copy of this order;

ii) The other retiral benefits of her husband shall be paid to her within a period of five months thereafter; and

iii) The respondent Transport Corporation shall pay the above retiral benefits to the petitioner with 6% interest per annum. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar



To:

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd., Kumbakonam.
2. The Finance Adviser and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.
3. The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Karaikudi.
4. The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-2.

+1 CC to M/s.A.RAHUL, Advocate, SR No.58123

+1 CC to M/s.D.SIVARAMAN, Advocate, SR No.58251

W.P (MD) No.17499 of 2016

03.10.2016

ar

SH:22.12.2016:3P/7C