



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P (MD) No.18229 of 2016

B.MAHALAKSHMI

... Petitioner

Vs.

1. TAMIL NADU STATE TRANSPORT
CORPORATION (MADURAI) LTD.,
REP. BY ITS MANAGING DIRECTOR,
BYE PASS ROAD, MADURAI.
2. THE GENERAL MANAGER,
TAMILNADU STATE TRANSPORT CORPORATION
(MADURAI) LTD.,
MADURAI REGION, MADURAI.
- 3 THE ADMINISTRATOR
TAMILNADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST,
THIRUVALLURVAAR ILLAM,
PALLAVAN SALAI,
CHENNAI-2.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to settle terminal benefits of the petitioners husband Late.N.Balamurgan to her including gratuity together with interest at the rate of 18% per annum payable from the date of death of her husband from the service of the 1st respondent corporation to till the date on which the above benefits are settled to the petitioner.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.A.P.Muthupandian

O R D E R

The petitioner's husband was employed as Tradesman in the respondent Corporation and he died on 10.02.2014.



2.The petitioner has filed this writ petition seeking for a direction to the respondents to pay the retirement benefits of her husband.

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 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's husband to 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 First week of November, 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;

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, he 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(CS-I)

/True copy/

Sub Assistant Registrar

To

+1 cc to M/s.A.Rahul, Advocate in SR.No.55374

rj2

CSL/CK/14.10.2016: 2P/2C

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