WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.18730 of 2016

K.Murugan ... Petitioner

vs.

1)Tamil Nadu State Transport Corporation (Madurai) Limited,
Rep. by its Managing Director,
Bye Pass Road,
Madurai-625 010.

2)Financial Advisor & Chief Accounts Officer,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye Pass Road,
Madurai-625 010. ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pay all the terminal benefits amount payable to the Petitioner including Provident Fund, Gratuity, unavailed leave Salary, Service-Surrender leave salary and Dearness allowance arrears together with 18% interest from the date of retirement i.e. 29.02.2016 to till the date of payment and all other attendant benefits to the Petitioner within the stipulated period.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.A.Jeyaram

ORDER

The petitioner was employed as Special Officer in Chairman's Office in the respondents Corporation and he retired from service on 29.02.2016, 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 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.

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

4.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 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 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 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 (CS-I)

/True copy/

Sub Assistant Registrar

+1 CC to M/s.A.K.THANGAVELU, Advocate, SR No.57531

W.P(MD)No.18730 of 2016

nbi
SH/SS-3:25.10.2016:2P/2C

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