



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.18768 of 2016

N.Malathi

... Petitioner

vs.

The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Rep. by its General Manager,
Dindigul.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pay the petitioners Rs.8,27,815/- towards Gratuity, Rs.4,73,189/- towards Leave Salary and Rs.1,41,017/- towards encashment of Leave On Personal Affairs payable for the service her husband/deceased employee M.Anandan Staff No.AS30255, together with 18% interest per annum, within a time frame as may be fixed by this Hon'ble Court.

For Petitioner	: Mr.S.Arunachalam
For Respondent	: Mr.A.Jeyaram

ORDER

The petitioner's husband was employed as Senior Grade Superintendent in the respondents Corporation and he died on 17.06.2014 while in service.

2. Seeking for a direction to the respondents to pay the retirement benefits of her husband, the wife of the employee has filed this writ petition.

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, 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's husband 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 petitioner to question the computation of any of the terminal benefits, if the same is paid lesser than the amount to which, her husband is entitled to receive. Likewise, if the petitioner has any grievance that her husband is entitled to interest for the amount already settled, she can agitate the same as per law, if her husband is entitled. No costs.

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar

nbi

COPY TO:

THE GENERAL MANAGER,
THE MANAGEMENT OF TAMILNADU
STATE TRANSPORT CORPORATION (MADURAI) LTD.,
DINDIGUL REGION,
DINDIGUL.

JAM/26.10.16/DB/2P-2C

W.P (MD) No.18768 of 2016

30.09.2016