



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.18899 of 2016

N.Nagendran

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation, Madurai Limited, rep.by its Managing Director, Bye pass Road, Madurai - 625 010.

2.The Financial Advisor & Chief Accounts Officer, Tamil Nadu State Transport Corporation, Madurai Limited, Bye pass Road, Madurai - 625 016.

3.The Administrator, Tamil Nadu State Transport Corporation Employees Pension Fund Trust, Thiruvalluvar Illam, Pallavan Salai, Chennai - 600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to pay all the terminal benefits amount payable to the petitioner including Provident fund Gratuity Commuted Value of Pension unavailed Leave Salary Service-Surrender Leave Salary Refund amount of Institute of Road Transport and Dearness Allowance arrears together with 18% interest from the date of retirement to till the date of payment and all other attendant benefits to the petitioner within the stipulated period.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.A.P.Muthupandian

O R D E R

The petitioner was employed as Managerial Cadre Officer in the respondent corporation and he retired from service on 31.03.2006 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 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.

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 that are yet to be settled, in twelve equal monthly installments.

(ii)The first installment shall commence by making payment on or before 1st week of December, 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.

5.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(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The Managing Director, The Tamil Nadu State Transport Corporation, Madurai Limited, Bye pass Road, Madurai - 625 010.

2.The Financial Advisor & Chief Accounts Officer, Tamil Nadu State Transport Corporation, Madurai Limited, Bye pass Road, Madurai - 625 016.

3.The Administrator, Tamil Nadu State Transport Corporation Employees Pension Fund Trust, Thiruvalluvar Illam, Pallavan Salai, Chennai - 600 002.

+One cc to Mr.A.K.Thangavelu, Advocate, SR.No.57993

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RL/5C/2P/GSV/PM/21.10.2016

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