



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.18976 of 2016

A.Kamatchi

.. Petitioner

Vs.

The Managing Director,
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye Pass Road,
Madurai- 625 016.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to pay Provident fund, gratuity and leave salary payable to her deceased husband with 18 % interest per annum, to the petitioner, within a stipulated time.

For Petitioner : Mr.G.Venkataraman
For Respondent : Mr.A.P.Muthupandian

ORDER

The petitioner's husband was employed as Senior Tradesman in the respondent Corporation and he died on 19.05.2015 while in service.

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

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, she 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

Rj2

+1CC to Mr.G.Venkataraman, Advocate Sr.No.58376

GJM/SK/SKN/21.10.16-2p-2C

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