



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.19101 of 2016

S.Sundararajan

... Petitioner

vs.

1)The Management of
State Express Transport Corporation (Tamilnadu) Limited,
Rep. by its Managing Director,
Pallavan Salai,
Chennai - 2.

2)The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to pay the petitioner Rs.3,58,162/- towards Leave Salary, Rs.1,27,661/- towards encashment of Leave on Personal Affairs, Rs.42,000/- towards Social Security Scheme Benefit, Rs.4,360/- towards Refundable Deposits and Rs.41,702/- towards Balance of Gratuity, together with 18% interest per annum, along with interest amount towards the delayed payment of EPF Employee's Contribution amount Rs.9,31,865/- for the period from 31.10.2013 to 29.05.2016 at the rate as per EPF Scheme and further direct the respondents to pay him Rs.3,55,901/- towards the Pension Commutation, 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 1st Respondent : Mr.K.Sathiya Singh,
StandingCousnel

For 2nd Respondent : Mr.A.P.Muthupandian,
Standing Counsel

ORDER



the 1st respondent Corporation and he retired from service on 31.10.2013, 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.

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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 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 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;

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(CRL)

/True Copy/

Sub Assistant Registrar

sj

TO

1)The Managing Director,
The Management of State Express
Transport Corporation (Tamilnadu) Limited,
Pallavan Salai, Chennai - 2.



2) The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2

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+1cc to Mr.K.Sathiya Singh, Advocate Sr.No. 59805

+1cc to Mr.S.Arunachalam Advocate Sr.No. 59906

JAM/08.11.16/GSV-PM/ 3p-5c

W.P(MD)No.19101 of 2016
05.10.2016