



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.10.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.19142 of 2016

A.Veeraiah

... Petitioner

vs.

- 1)The Management of
Tamilnadu State Transport Corporation (Kumbakonam) Limited,
Karaikudi Region,
Rep. by its General Manager,
Karaikudi.
 - 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.6,37,096/- towards Gratuity, Rs.99,197/- towards Earned Leave Salary, Rs.25,000/- towards Social Security Scheme Benefit, Rs.4,500/- towards Refundable Deposits and also Wages for the Sick Leaves earned by him his service before 31.08.1998 and stood in his leave credit, together with 18% interest per annum, along with interest amount towards the delay in paying EPF Employee's Contribution amount Rs.3,49,161/- for the period from 30.06.2016 to 22.05.2017 at the rate as per EPF Scheme and further directing the respondents to pay him Rs.2,64,791/- 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.D.Sivaraman
Standing Counsel
For 2nd Respondent : Mr.A.P.Muthupandian,
Standing Counsel

O R D E R

The petitioner was employed as Special Grade Conductor in the 1st respondent Corporation and he retired from service on 30.06.2016, 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.

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(W)

/True Copy/

Sub-Assistant Registrar

To

1)The General Manger ,The Management of
Tamilnadu State Transport Corporation (Kumbakonam) Limited,
Karaikudi Region, Karaikudi.

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

+One cc to Mr.D.Sivaraman, Advocate, SR.No.59343

+One cc to Mr.S.Arunachalam, Advocate, SR.No.59902

sj