



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

CORAM :

THE HONOURABLE MR. JUSTICE M.V. MURALIDARAN

W.P (MD) No. 19284 of 2016

WEB COPY

G.Srinivasan

... Petitioner

Vs.

The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director, Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to settle the petitioner's retirement benefits of Earned Leave Wages for 246.5 days with 18% interest payable to him within the stipulated time.

For Petitioner	: Mr.G.M.Xavier
For Respondent	: Mr.D.Sivaraman

ORDER

The petitioner was employed as Cashier in the respondent Corporation and he retired from service on 31.08.2012, on reaching the age of superannuation.

2.He has filed this writ petition seeking for a direction to the respondent 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 retirement 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 10th 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

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.D.Sivaraman, Advocate SR.No.60464

+One cc to Mr.G.M.Xavier, Advocate, SR.No.59982

pmu

RL/3C/2P/CK/1.11.2016

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