BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

CORAM :

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P(MD)No.19356 of 2016

R.Maruthan ... Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
   Represented by its Managing Director,
   Madurai.

2. The Administrator,
   The Tamil Nadu State Transport Corporation Pension Fund Trust,
   Thiruvalluvar House, Pallavan Salai,
   Chennai - 600 002. ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pay his entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity, Commuted Value of Pension and Leave Salary together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the stipulated time.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.A.P.Muthu Pandian

ORDER

The petitioner was employed as Selection Grade Checking Inspector in the respondents Corporation and he retired from service on 31.05.2016, 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 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(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Madurai.

2. The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

+1 cc to MR.A.RAHUL, Advocate Sr.No.59801

W.P(MD)No.19356 of 2016
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SMA/CK/4.11.2016:2P/4C