



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.19727 of 2016

T.Vijayalakshmi

... Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation
(Madurai) Ltd.,
Dindigul Region,
rep.by its General Manager,
Dindigul.

... Respondent

Prayer:-Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent to pay the petitioner Rs.2 83 630/- towards Gratuity and Rs.13 100/- towards Leave Salary payable for the services her husband/ deceased employee A.Thangavel staff No.DR51640 together with 18% interest per annum within a time frame as may be fixed by this Court.

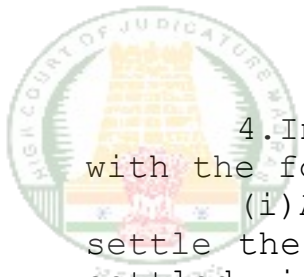
For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.A.Jayaram

O R D E R

The petitioner's husband was employed as Senior Grade Driver in the respondent corporation and he died on 03.09.2013, while in service.

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

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 12 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 that are yet to be settled, in twelve equal monthly installments.

(ii) The first installment shall commence by making payment on or before 1st 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.

5. 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 he is entitled. No costs.

Sd/-

Assistant Registrar(Cr1)

/True copy/

Sub Assistant Registrar

To

+1 cc to M/s.S.Arunachalam, Advocate in SR.No.61351

mj

CSL/SS-2/04.11.2016: 2P/2C

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