BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.20198 of 2016

S.Packiasamy ... Petitioner

vs.

1)The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Rep. by its Managing Director,
Madurai Region,
Bye pass Road,
Madurai.

2)The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002. ... 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 settle the petitioner's retirement benefits including Provident Fund, Gratuity and Commutation of Pension payable to me the petitioner along with interest at the rate of 16% per annum within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.G.M.Xavier
For R1 : Mr.A.Jayaram
For R2 : Mr.A.P.Muthupandian

ORDER

The petitioner was employed as Selection Grade Conductor 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 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(RTI)

/True copy/

Sub Assistant Registrar

To
+1 cc to M/s.G.M.Xavier, Advocate in SR.No.62691/16

nbi
CSL/PV/09.11.2016: 2p/2c