



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

Writ Petition (MD) No.20248 of 2016

S.Charles

.... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli),
Nagercoil Division,
Kanyakumari District.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli),
Nagercoil Division,
Nesamani Nagar,
Ranithottam, Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay the Terminal Benefits along with accrued interest of 12% including Gratuity leave salary commuted value of pension dearness allowance arrears calculated at the rate of 80% from the last drawn salary and all other attendant retirement benefits to the petitioner from 31.01.2013 based on his representations to the respondents or any other order or direction as this Court.

For Petitioner

:Mr.M.Gururaj

For Respondents

: Mr.K.Sathya Singh

ORDER

You can be young without money but you can't be old without it. ..Tennessee Williams

The petitioner was employed as Traffic Inspector in the respondent corporation and he retired from service on 31.01.2013 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 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, 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(CO)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli),
Nagercoil Division, Kanyakumari District.

2. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli),
Nagercoil Division, Nesamani Nagar,
Ranithottam, Kanyakumari District.

+1 cc to M/s.M.Gururaj, Advocate in SR.No.62576

+1 cc to M/s.K.Sathiya Singh, Advocate in SR.No. 62533

mj

CSL/SS-2/08.11.2016: 2P/5C

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