



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.20297 of 2016

T.Kumaresan

.... Petitioner

Vs.

1.The State of Tamil Nadu,
rep by its Secretary to Government,
Transport Department and Chairman of
Board of Directors of
State Transport Undertakings,
Fort St., George, Chennai 9.

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

3.The Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
represented by its Managing Director,
Villupuram.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to settle the petitioners entire eligible retirement benefits including Gratuity Medical and Earned leave Salary with enhanced dearness allowance fixed by the Government of Tamilnadu applicable on the date of his retirement and dearness allowance arrears on his monthly pension as revised and increased from time to time together with interest at the rate of 18% per annum from the date of his retirement to till the date of settlement within the time.

For Petitioner
For Respondents

:Mr.A.Rahul
: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader for R1

Mr.A.Jeyaram for R2
Mr.D.Sivaraman for R3

**ORDER**

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

WEB COPY

..Tennessee Williams

The petitioner was employed as General Manager in the respondent corporation and he retired from service on 31.05.2014 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(CS-II)

/True Copy/



To

1. The Secretary to Government,
The State of Tamil Nadu,
Transport Department and Chairman of
Board of Directors of
State Transport Undertakings,
Fort St., George, Chennai 9.

2. The Managing Director,
The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai.

3. The Managing Director,
The Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Villupuram.

+1 cc to MR.A.RAHUL, Advocate SR.No.62884

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SMA/SK-SKN/14.11.2016:2P/5C