



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P (MD) No.20358 of 2016

1.P.Palaniappan

2.K.Maha Lakshmanan

3.G.Thinakaran

...Petitioners

Vs.

1.The Managing Director,

Tamil Nadu State Transport Corporation

(Madurai) Limited,

Bye pass Road, Madurai - 625 016.

2.The General Manager,

Tamil Nadu State Transport Corporation

(Madurai) Limited,

Dindigul Region,

Dindigul-4.

3.The Administrator,

Tamil Nadu State Transport

Corporation Employees' Pension Fund Trust,

Pallavan Salai,

Chennai - 600 002.

...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 Petitioner terminal benefits such as Provident Fund gratuity commutation surrender leave salary social security scheme benefits etc along with 18% interest within the time stipulated.

For Petitioners : Mr.J.Ashok

For Respondents : Mr.A.P.Muthupandian

O R D E R

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

..Tennessee Williams

The petitioners were employed as Special Grade Conductors in the respondent corporation and they retired from service on 30.06.2016, 31.05.2016 and 31.05.2016 respectively on reaching the age of superannuation.

2.They have filed these writ petitions 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 petitions are disposed of with the following directions:-

(i) A direction is issued to the transport corporation to settle the terminal benefits of the petitioners 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, they are entitled to receive. Likewise, if the petitioners have any grievance that they are entitled to interest for the amount already settled, they can agitate the same as per law, if they are entitled. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye pass Road, Madurai - 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region, Dindigul-4.

3. The Administrator,
Tamil Nadu State Transport
Corporation Employees' Pension Fund Trust,
Pallavan Salai, Chennai - 600 002.

+3cc to M/s.Jeyapaul Associates, in SR.63558