BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.10.2016**

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P(MD)No.20595 of 2016

A.Pasupathy : Petitioner

Vs.

The Managing Director,
State Express Transport Corporation (T.N.) Ltd.,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002. : Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to settle the petitioner's terminal benefits including provident fund, gratuity difference amount, leave surrender encashment, social security scheme together with interest at the rate of 18% interest per annum from the date of retirement of the petitioner i.e., on 30.06.2014 within a period that may be stipulated by this Court.

For Petitioner : Mr.M.Kannan

For Respondent : Mr.K.Sathiya Singh

O R D E R

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

..*Tennessee Williams*

The petitioner was employed as Selection Grade Senior Technical Tradesman in the respondent Corporation and he retired from service on 30.06.2014 on reaching the age of superannuation.

2.He has filed this writ petition seeking for a direction to the respondent 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

smn

+1cc to Mr.M.Kannan Advocate Sr.No. 63929

+1cc to Mr.K.Sathiya Singh, Advocate Sr.No. 64263

JAM/11.11.16/GSV-PM/ 2p-3c

ORDER MADE IN
W.P(MD)No.20595 of 2016