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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2016

CORAM :

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

W.P(MD)No.21572 of 2016

S.Thangaraj

... Petitioner

**Vs.**

1. The Managing Director,  
Tamil Nadu State Transport Corporation  
Tirunelveli Ltd., Tirunelveli.

2. The General Manager,  
Tamil Nadu State Transport Corporation  
Tirunelveli Ltd.,  
Nagercoil Region, Ranithottam,  
Nagercoil.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the respondents herein to pay the arrears of Provident Fund Gratuity and Leave Salary.

For Petitioner : Mr.K.Sreekumaran Nair

For Respondents : Mr.K.Sathiyasingh

**ORDER**

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

..Tennessee Williams

So pleads the petitioner, praying for disbursement of retirement benefits.

The petitioner was employed as Special Driver in the respondent corporation and he retired from service on 31.01.2015 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.



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.

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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 1<sup>st</sup> week of January, 2017 and the amount in each of the remaining installments shall be paid on or before 10<sup>th</sup> 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 (AS)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 68140  
+ 1 CC TO Mr.K.SREE KUMARAN NAIR, ADVOCATE IN SR No. 68272

MJ

TE/GSV-PM : 22/11/2016 : 2P/3C

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