



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA****W.P(MD)No.22699 of 2016**

WEB COPY

G.Irulayee

: Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
rep. by its Managing Director, Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam)
Limited,Karaikudi Region, Sivagangai District.

3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai, Chennai - 2.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the terminal benefits of the petitioner's husband Late.V.Govindan to her, including Gratuity, Commutation, Social Security Scheme amount, Post Retirement Benefit fund Scheme arrears, Earned Leave Salary Arrears, Pension arrears of her husband for 3 months, Family Pension arrears of 5 months and Refund of Contribution made towards Medical, Engineering, Polytechnic Colleges and Institute of Road Transport together with interest at the rate of not less than 18% per annum payable from the service of the first respondent corporation to till date on which the above benefits are settled to the petitioner.

For Petitioner	: Mr.A.Rahul
For Respondents 1 and 2	: Mr.D.Sivaraman
For Respondent No.3	: Mr.A.P.Muthupandian

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.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The husband of the petitioner was employed as Selection Grade Conductor in the respondent Corporation and he retired from



service on 31.08.2015 on reaching the age of superannuation. He passed away on 12.06.2016.

3.The petitioner has filed this writ petition seeking for a direction to the respondents to pay the retirement benefits.

4.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.

5.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 husband 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 January, 2017 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, she is entitled to receive. Likewise, if the petitioner has any grievance that she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1.The Tamil Nadu State Transport Corporation (Kumbakonam) Limited, rep. by its Managing Director, Kumbakonam.

<https://hccseco.cemilash.com> The General Manager,

The Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Karaikudi Region, Sivagangai District.



3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai, Chennai - 2.

+1 cc to Mr.A.Rahul,Advocate, Sr.No:73327

+1 cc to Mr.D.Sivaraman,Advocate, Sr.No:72985

**ORDER MADE IN
W.P(MD)No.22699 of 2016**

smn

rum/15.12.2016/3p/6c