



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2016

CORAM :

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THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.22830 of 2016

K.Jeyanda Narayanadass

... Petitioner

vs.

1.The Management of Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
rep.by its General Manager,
Trichy.

2.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 2.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the 1st respondent to pay the petitioner Rs.60 490/- towards Leave Salary together with 18% interest per annum and also interest amount towards the delayed payment of Gratuity amount Rs.2,75,613/- for the period from 30.11.2012 to 23.05.14 as per Sec.7 (3 A) of the Payment of Gratuity Act and further directing the 1st & 2nd respondents to pay him interest amount towards the delayed payment of Pension commutation amount Rs.1,47,966/- for the period from 01.12.2012 to 31.10.2013 at the rate of 18% per annum.

For Petitioner : Mr.S.Arunachalam

For R - 1 : Mr.D.Sivaraman

For R - 2 : 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.

The petitioner was employed as Selection Grade Driver in the respondent corporation and he retired from service on 30.11.2012 on reaching the age of superannuation.

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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 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.

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(Crl.side)

/True copy/

Sub Assistant Registrar



To

1.The General Manager,
Management of Tamilnadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region,Trichy.

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2.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.

+1 cc to M/s.D.Sivaraman, Advocate in SR.No. 74564

mj

CSL/PV/20.12.2016: 3P/4C

W.P (MD) No.22830 of 2016
30.11.2016