BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.23536 of 2016

V.Veerachamy ... Petitioner

vs.

1)The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
ByePass Road, Madurai-625016.

2)The General Manager,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region, Dindigul-4.

3)The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust, Pallavan 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 respondent to settle the Terminal Benefits such as Gratuity, Commutation, Provident Fund, Surrender Leave Salary, Social Security Scheme Benefits and IRT Contribution along with 18% interest within the stipulated period.

For Petitioner	: Mr.S.Govindan
For R1 & R2	: Mr.A.Jayaram
For R3	: Mr.A.P.Muthupandian

ORDER

The petitioner was employed as Senior Grade Helper in the respondents Corporation and he retired from service on 29.02.2016, 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.

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 10^{th} January 2017 and the amount in each of the remaining installments shall be paid on or before 10^{th} 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(P&A)

/True Copy/

Sub Assistant Registrar

nbi

TO

1)The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
ByePass Road, Madurai-625016.

2)The General Manager,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region, Dindigul-4.

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

+1cc to Mr.S.Govindan Advocate Sr.No.78304

JAM/12.01.2017/ME/ 2p-5c

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