BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2016

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.24176 of 2016

P.Kathiresan ... Petitioner

Vs.

1.The Management of
Tamilnadu State Transport corporation (Madurai) Ltd.,
Dindigul region,
Rep. By its General Manager,
Dindigul.

2.The Administrator,
The Tamil Nadu State Transport corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai. ... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to pay the petitioner Rs.6,77,259/- towards Gratuity and Rs.2,32,901/- towards Leave Salary together with 18% interest per annum and further directing the respondents to pay the petitioner Rs.2,70,517/- towards the Pension Commutation amount together with 18% interest per annum within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Arunachalam
For Respondent No.1 : Mr.A.Jayaraman
For R2 : Mr.A.P.Muthupandian

O R D E R

The petitioner has filed this Writ petition seeking for a direction to the respondents to pay the retirement dues.

2.The petitioner was employed in the respondent Corporation and on reaching the age of superannuation, the petitioner retired from service.

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 respondent / 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 February, 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 at 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, the petitioner is entitled to receive. Likewise, if the petitioner has any grievance that the petitioner is entitled to interest for the amount already settled, he can agitate the same as per law, if the petitioner is entitled. No costs.

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To
1.The Management of
Tamilnadu State Transport corporation (Madurai) Ltd.,
Dindigul region,
Rep. By its General Manager,
Dindigul.

2.The Administrator,
The Tamil Nadu State Transport corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai.

W.P.(MD)No.24176 of 2016

nbj
AM/MPA SK/25.01.2017/2P/3C