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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.12.2016
CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.24412 of 2016

N.Venkatraman ... Petitioner

vs.

Tamilnadu Transport Corporation (Tirunelveli) Ltd.,
Represented by Managing Director,
23/2, Tuticorin Road, V.N.Chathiram KTC Nagar,
Tirunelveli – 627 011. ... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider the representation of petitioner dated 08.06.2016 and also direct to pay the petitioner the gratuity amount of Rs.10,00,000/- and Provident Fund amount of Rs.4,79,908/- admitted as due along with interest @ 12% p.a.

For Petitioner : Mr.G.Manivannan
For Respondent : Mr.K.Sathiya Singh

ORDER

The petitioner was employed as Assistant Engineer in the respondents Corporation and he retired from service on 30.06.2015 on attaining 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 instalments 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 instalment.

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 instalments;

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ii)The first installment shall commence by making payment on or before the 10th February 2017 and the amount in each of the

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remaining instalments 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 instalments, 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/-
Deputy Registrar(Admn.)

/True Copy/

Sub Assistant Registrar

To

+1cc to Mr.K.Sathiya Singh,Advocate Sr.No.82391

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