BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **22.12.2016**
CORAM:
THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
W.P.(MD)No.24573 of 2016

P.Nagaraja Pillai ... Petitioner

Vs.

1.Tamilnadu State Transport
Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Madurai.

2.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002. ... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay his entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity, Commuted Value of Pension and Terminal Leave Salary together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Rahul

For Respondents : 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

/True copy/

Sub Assistant Registrar

To

1.Tamilnadu State Transport
Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Madurai.

2.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.
+1 cc to Mr.A.Rahul,Advocate,Sr.No.82868

nbj
AAM RR 24.01.2017 2P 4C

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