BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 05.02.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P(MD)No.2622 OF 2016

R.V.Subramanian ..Petitioner

.vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye-Pass Road,
Madurai-625 010.

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

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay the terminal benefits amount including leave salary together with 18% interest and also 18% interest for the belated payment of Gratuity, Commuted value of pension from the date of retirement to the date of actual payment made to the petitioner and all other attendant benefits within the stipulated period as the Court may deem fit.

For Petitioner :Mr.A.Rahul
For Respondents :Mr.A.P.Muthupandian

ORDER

The petitioner was employed as Senior Assistant Engineer under the respondents / Transport Corporation and he retired from service on 30.06.2011 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 matters 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 10.03.2016 and the amount in each of the remaining installments shall be paid on or before 10th day 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 ((P&A)

/True copy/

Sub Assistant Registrar

To
1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai-625 010.

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

+1 CC to Mr.A.K.THANGAVELU, Advocate, SR No.7136

W.P(MD)No.2622 OF 2016
05.02.2016

pm
SH/PM-MP:16.02.2016:2P/4C