BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2016

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P(MD)No.882 of 2016

K.Vellaichamy ... Petitioner

Vs.

1.The Tamil Nadu 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

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to pay all the terminal benefits including Gratuity and Leave Salary with enhanced dearness allowance at the rate of 80% in terms of Letter (MS). No.155 Transport (E) Department dated 25.07.2013 and dearness allowance arrears on monthly pension 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 Court.

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

O R D E R

The petitioner was employed as Conductor in the respondent transport corporation and he retired from service on 30.06.2013 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 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 eligible terminal benefits of the petitioner that are yet to be settled, in twelve 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 10^{th} 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(R)

/True Copy/

Sub Assistant Registrar.

To
1.The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai.

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

+1CC to Mr.A.Rahul, Advocate, SR.No. 5245.

W.P(MD)No.882 of 2016
28.01.2016

AM/08.02.2016/NGM.SS/SAR-1/2P/4C