



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2016

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.7860 of 2013

D.Joseph Raj Nesan

: Petitioner

Vs.

1.Tamil Nadu State Transports Corporation Employees' Pension Fund Trust rep. by its Administrator,
Pallavan Salai, Chennai - 600 002.

2.Tamil Nadu State Transports Corporation Kumbakonam Limited rep. by its Managing Director, New Railway Station Road,
Kumbakonam.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to pay the petitioner's pension commutation amount in a sum of Rs.2,01,139/-, Pension arrears in a sum of Rs.15,230/- for two months and Post Retirement Benefit Scheme in a sum of Rs.3,000/- at the rate of Rs.750/- per month for four months and directing the second respondent to pay a sum of Rs.1,39,930/- under different categories like surrendered earned leave salary and other deposits like deposits for Engineering College, Medical College and Poly Technique and also Employees Social Security Protection Scheme in favour of employees with interest at 12% per annum within a time frame fixed by this Honourable Court.

For Petitioner : Mr.S.K.Mani

For Respondent No.1 : Mr.A.P.Muthupandian

For Respondent No.2 : Mr.Mr.K.Sathiya Singh

O R D E R

You can be young without money but you can't be old without it.

..Tennessee Williams

So pleads the petitioner, praying for disbursement of retirement benefits.

2.The petitioner was employed as Special Grade Tradesman in the respondent Corporation and he retired from service on 31.05.2012 under Voluntary Retirement Scheme.

<https://hcservices.ecourts.gov.in/hcservices/>

3.He has filed this writ petition seeking for a direction to the respondents to pay the retirement benefits.



4.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 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.

5.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 installments;

ii)The first installment shall commence by making payment on or before the First Week of January, 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 @ 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;

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/

Assistant Registrar(C.S-II)

/TRUE COPY/

Sub Assistant Registrar

To

+1cc to M/s.S.K.Mani, Advocate, in SR No.74367.

+1cc to M/s.K.Sathiya Singh, Advocate, in SR No.74748.

ORDER MADE IN
W.P(MD)No.7860 of 2013
29.11.2016

smn

msm/gsv/14.12.16/p2/3c