

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7245 of 2017

M.Malliga

.. Petitioner

-vs-

Metropolitan Transport Corporation Ltd.,
rep.by its Managing Director
No.2, Pallavan Salai
Chennai 600 002

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to settle the following terminal benefits payable to the petitioner's husband of Surrender of earned leave 223 days and Medical leave of 171 days amount of Rs.5,12,199/-, Commutation amount of Rs.3,50,000/-, Erode Engineering college and Perundurai medical college refund amount of Rs.4,500/-, Social Security Scheme amount of Rs.35,000/-, Gratuity amount of Rs.8,50,000/- and Death Insurance amount of Rs.1,50,000/- and altogether a sum of Rs.19,01,699/- with interest at the rate of 6% per annum, by considering the representation of the petitioner dated 10.03.2017.

For Petitioner :: Mr.D.Soundhar Raj

For Respondent :: Mr.P.Paramasivadoss

ORDER

Mrs.M.Malliga, W/o K.Manikandan (late) has filed this writ petition seeking a direction to the respondents to disburse the terminal benefits payable to her husband as prayed for in the writ petition, by considering her representation dated 10.3.2017.

2. Mr.P.Paramasivadoss, learned standing counsel takes notice on behalf of the respondent.

3. The petitioner's husband joined as Conductor in the State Express Transport Corporation Limited on 5.12.88 and thereafter he was transferred to the respondent Corporation on his request. But, however, even before his normal retirement, he died unfortunately on 31.5.2016. Therefore, the petitioner has given a representation to the respondent to settle the entire terminal benefits due to her

husband. Since the same have not been till date settled to her, she has been advised to come to this Court.

4. Since the issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others), this writ petition is disposed of with a direction to the respondents to settle the entire retirement benefits due and payable to the petitioner's husband through twelve equal monthly instalments carrying interest of 6% p.a., by considering her pending representation. The instalments should commence from June, 2017 and each of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioner for such non-payment of the instalments. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Managing Director
Metropolitan Transport Corporation Ltd.,
No.2, Pallavan Salai
Chennai 600 002

+1 CC to Mr.D.Soundhar Raj, Advocate Sr.No.18772.

SKS(CO)
KP(11/04/2017)

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