

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. No. 11325 of 2017

Tmt. Rajakumari

..Petitioner

Vs.

1. The Management of
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
(Formerly known as Cholan
Roadways Corporation Ltd)
rep. By its Managing Director
Railway Station Road,
Kumbakonam Region
Kumbakonam, Thanjavur District.
2. The Administrator,
Tamilnadu State Transport
Corporations Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay the petitioner forthwith a sum of Rs.6,00,600/- towards balance back wages; a sum of Rs.1,48,000/- towards balance amount payable under the Family Benefit fund Scheme; Gratuity amount for the entire service of his husband from the date of his initial appointment to the date of his death; employees contribution of Provident fund amount; earned / medical leave salary; IRT contributions; monthly pension payable under the Post Retirement Scheme from 3.10.2012 with arrears, monthly pension payable under the TNSTCE Pension Scheme from 3.10.2012, with arrears and all other service / terminal benefits, together with interest at the rate of 12% per annum for all the above benefits from the date of due till the amounts are actually paid to him.

For Petitioner : Mr. V.Ajoy Khose
For Respondents : Mr. P. Kannan Kumar

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to pay a sum of Rs.6,00,000/- towards balance back wages, a sum of Rs.1,48,000/- towards balance amount payable under the Family Benefit Fund Scheme, Gratuity amount for the entire Service rendered by the husband of the writ petitioner, etc.

2. The learned counsel appearing for the writ petitioner stated that the husband of the writ petitioner was working as a Conductor from the year 1981. He was dismissed from service in the year 1989 and an industrial dispute was raised in I.D.No.62/82. After succeeding in the litigation, the respondents have not honoured the award passed by the Labour Court and the retirement benefits are also not yet settled to the writ petitioner even after the death of her husband.

3. In this regard, this Court has considered and passed orders granting disbursement of terminal benefits to the deceased employee of the Transport Corporation in twelve equal monthly installments.

4. In the light of the common judgment passed by this Court in W.A.(MD)Nos.383 to 457 of 2015 (K.Rajendran and others Vs. The Tamil Nadu State Transport Corporation, Madurai Limited rep. by its Managing Director, Madurai and others) dated 12.06.2015. The respondents are directed to settle the terminal benefits/due and payable to the writ petitioner's husband, to the petitioner in twelve equal monthly installments. It is also made clear that the first installment shall commence from November 2017.

5. Accordingly, the writ petition is disposed of. However there is no order as to costs.

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Sd/-
Assistant Registrar(CS II)

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Sub Assistant Registrar

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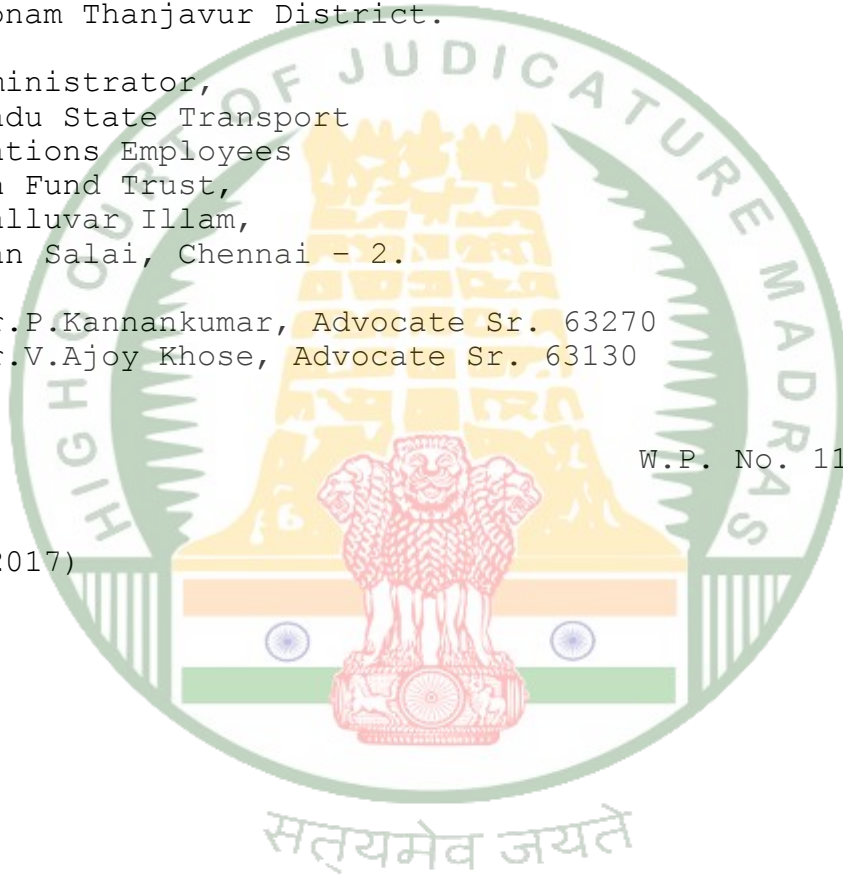
1.The Managing Director
Management of
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(Kumbakonam) Ltd.,
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2. The Administrator,
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Pallavan Salai, Chennai - 2.

+1cc to Mr.P.Kannankumar, Advocate Sr. 63270
+1cc to Mr.V.Ajoy Khose, Advocate Sr. 63130

W.P. No. 11325 of 2017

KJI (CO)
VR(23/10/2017)



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