



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2017

CORAM

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD).No.3765 of 2014

Govindammal

.. Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai Division),
Bye-Pass Road, Madurai.
 2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai Division),
Bye-Pass Road, Dindigul - 624 004,
Dindigul District.
 3. The Administrator,
Tamilnadu 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 to issue a Writ of Mandamus, directing the respondents to pay pension every month from 1.10.1999 with all arrears and with interest of 16% per annum and other consequential benefits to the petitioner.

For Petitioner : Mr.A. Shajahan

For Respondents 1 & 2 : Mr.A. Jeyaram
Standing Counsel

For Respondents : Mr.A.P.Muthupandian
Standing Counsel

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay pension every month from 1.10.1999 with all arrears and with interest of 16% per annum and other consequential benefits to the petitioner.

<https://hcservices.ecourts.gov.in/Hcservices/> 2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the



respondents.

3. The case of the petitioner in the above Writ Petition is as follows:-

(i) The petitioner's husband joined originally in Cheran Transport Corporation, Coimbatore as Driver on 01.11.1979. He also enrolled himself in the Employees Provident Fund Scheme on 01.06.1980. After his regularisation on 24.04.1981, the Government of Tamil Nadu decided to divide Cheran Transport Corporation into two Corporations and the petitioner's husband was transferred to Palani Branch in the Jeeva Transport Corporation. Thereafter, he was transferred to the Tamil Nadu State Corporation (Madurai Division).

(ii) The petitioner's husband has given his willingness to retire from service under Voluntary Retirement Scheme (VRS). The application submitted by the petitioner's husband was accepted on 27.09.1999. The date of Voluntary Retirement of the petitioner's Husband was on 30.09.1999. However the retirement benefits were not given to the petitioner's husband immediately after his retirement. Since the petitioner's husband's retirement benefits were due for more than seventeen years, the petitioner has approached this Court by filing the above Writ Petition.

4. The facts with regard to the service of the petitioner in the respondent Corporation and the details furnished by the petitioner in the affidavit filed in support of the Writ Petition are not seriously disputed. It is only due to administrative reasons and the financial constraints, the respondents have justified the long delay. Even today, the liability of the respondent on the entitlement of petitioner and the amount towards her, are not in dispute.

5. In such circumstances, this Court is inclined to issue the following direction:-

(i). The second respondent is directed to send the proposal to the third respondent within a period of two weeks from the date of receipt of a copy of this order. With the proposal of the second respondent, the third respondent shall disburse the amount payable to the petitioner within a six monthly equal installments.

(ii) The first installment shall commence by making payment on or before 10th of June 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 ~~will not~~ include 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.

6. With the above directions the Writ Petition is allowed. No Costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
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Bye-Pass Road, Madurai.
2. The General Manager,
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3. The Administrator,
Tamilnadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+1cc to M/S.A.SHAJAHAN, Advocate SR.No. 51911

ORDER MADE IN
W.P. (MD) .No. 3765 of 2014
13.04.2017

JM/SV MMS/03.05.2017/3P/5C