



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.11158 of 2017

M.Vasanth Kumari

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Kattabomban Nagar,
Tirunelveli - 627 011.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Nagercoil Region, Ranithottam,
Kanyakumari District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including, Provident Fund, Gratuity, Leave Salary and Earn Leave Salary with enhanced dearness allowance fixed by the Government of Tamilnadu and Dearness Allowance arrears on the petitioner's monthly pension as revised and increased from time to time together with interest at the rate of 18% interest per annum from the date of the petitioner's retirement to till the date of settlement within the time may be stipulated by this Court.

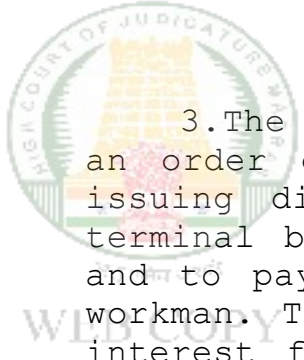
For Petitioner : Mr.S.Sivanesan

For Respondents : Mr.K.Sathiya Singh,
Standing Counsel for T.N.S.T.C.,

O R D E R

The petitioner was employed as Selection Grade Driver in the respondents Corporation and she retired from service on 30.04.2017, on reaching the age of superannuation.

2.She 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 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. The learned Standing Counsel for the respondents has no objection to pass similar orders passed by this Court earlier following the order of the Hon'ble Division Bench.

4. 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 10th of August 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, she is entitled to receive. Likewise, if the petitioner has any grievance that she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
K. S. Nagar,
Tirunelveli - 627 011.



2. The General Manager,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Nagercoil Region, Ranithottam,
Kanyakumari District.

WEB COPY

+1 cc to Mr.S.Sivanesan , Advocate in SR.No. 60377

+1 cc to Mr.K.Sathiya Singh , Advocate in SR.No. 60375

pmu

AE/RSK/SAR2/27.06.2017/3P/5C

ORDER MADE IN
W.P. (MD) .No.11158 of 2017
15.06.2017