



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD) No.1141 of 2017

WEB COPY

V.Kochadai

... Petitioner

vs.

1.The Managing Director

Tamil Nadu State Transport Corporation Ltd.
Madurai Region Madurai.

2.The General Manager

Tamil Nadu State Transport Corporation Ltd.
Madurai Region Madurai.

3.Mr.Arumugam

The Administrative Officer
Tamil Nadu 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 for the issuance of a writ of Mandamus directing the respondents to pay him Rs.8,42,304/- towards gratuity together with 18% interest per annum and also arrears of pension for the period from 29.02.2016 by revising his pension together with 18% interest per annum after calculating all his terminal / pension benefits based on the monthly wages payable to him on the month of the petitioner's retirement i.e. 29.02.2016 by revising the same as per the settlement, dated 13.04.15 as ordered by the Hon'ble Division Bench of this court in its order, dated 29.01.2016 in W.A.(MD).No.1457/2015 and etc.,

For Petitioner : Mr. K.Bhaskaran

For Respondents : Mr.AP.Muthu Pandian
Standing Counsel

ORDER

The petitioner was employed as Senior Grade Tradesman in the respondents Corporation and he retired from service on 29.02.2016 on attaining the age of superannuation.

2.He 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 instalments 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 instalment.

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 instalments;

ii) The first installment shall commence by making payment on or before the 10th March 2017 and the amount in each of the remaining instalments 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 instalments, 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 (CO)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Managing Director
Tamil Nadu State Transport Corporation Ltd.
Madurai Region Madurai.
2. The General Manager
Tamil Nadu State Transport Corporation Ltd.
Madurai Region Madurai.
3. Mr. Arumugam
The Administrative Officer
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+2ccs to Mr. K. Bhaskaran, Advocate, SR.No:4080

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