



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.11460 of 2017

V.Balasubramanian

.. Petitioner

Vs.

1. The Management of State Express
Transport Corporation (Tamil Nadu) Ltd.,
Rep. by its Managing Director,
Pallavan Salai, Chennai - 2.

2. The General Manager,
State Express Transport Corporation
(Tamil Nadu) Ltd.,
Pallavan Salai, Chennai - 2.

3. The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Palavan Salai,
Chennai - 600 002.

.. 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 terminal benefits including Monthly Pension, Gratuity, Commutation, Provident Fund Amount, Earned Leave Salary for 121.5 days, Medical Leave Salary for 28 days, Social Security Scheme amount, Refund of his Contribution made towards Medical, Engineering, Polytechnic Colleges and Institute of Road Transport, and all other attendant benefits together with interest at the rate of 18% per annum payable from the date of the petitioner's retirement i.e., from 01.04.2017 to till date on which the said benefits are settled to the petitioner.

For Petitioner : Mr.A.Rahul

For R-1 and R-2 : Mr.K.Sathiyasingh,
Standing Counsel for SETC

For R-3 : Mr.A.P.Muthupandian
Standing Counsel for TNSTC

**ORDER**

The petitioner was employed as Selection Grade Senior Conductor in the respondents Corporation and he retired from service under voluntary retirement scheme by order dated 27.03.2017.

2.The petitioner has filed this writ petition seeking 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 have 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, 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(Writs)

/True Copy/

Sub Assistant Registrar



To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

3. The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Palavan Salai,
Chennai - 600 002.

+1cc to Mr.A.Rahul, Advocate Sr.No.61382

+1cc to Mr.K.Sathiyasingh, Advocate Sr.No.61495

SJ

VB/MR/SAR3/05.07.2017/3P/6C

**ORDER MADE IN
W.P. (MD) .No.11460 of 2017
21.06.2017**