



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2017

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.(MD).No.11759 of 2017 and
WMP(MD).No.9057 of 2017

T.Natarajan

.. Petitioner

Vs.

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

2. The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pay and settle all terminal benefits of the petitioner by giving account details of the same, together with 18% interest per annum and further directing the 1st and 2nd respondents to pay him pension, pension arrears from 01.11.2008 and commuted value of pension, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.K.Sathiya Singh- R1
Standing Counsel for T.N.S.T.C.,
: Mr. A.P. Muthupandian
Standing counsel for TNSTC - R2

O R D E R

The petitioner was employed as Driver in the respondents
<https://hcservicescourts.gov.in/hcservices/> he retired from service on 31.10.2008, on reaching
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 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, 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.

v) Since the petitioner has approached this Court earlier and there is already delay, the respondents are directed to disburse the pensionary benefits without committing any delay. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.S.Arunachalam, Advocate, SR.No.62126

+One cc to Mr.K.Sathiya Singh, Advocate, SR.No.62258

trp

RL/3C/2P/KP/SAR1/7/7/2017

<https://hcservices.ecourts.gov.in/hcservices/>

ORDER MADE IN

W.P.(MD).No.11759 of 2017 and

WMP(MD).No.9057 of 2017

27.06.2017