



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.1189 of 2017

K.S.Mahalingam Mudali

... Petitioner

vs.

State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pay the terminal benefits amount payable to the petitioner including un-availed leave salary social security scheme amount, refund amount of Institute of Road Transport and Post retirement benefits scheme amount- current payment with arrears and dearness allowance arrears together 18% interest from the date of his retirement i.e. 31.10.2013 to till the date of payment and all other attendant benefits within the time frame stipulated by this Court.

For Petitioner	: Mr.A.Rahul
For Respondent	: Mr.K.Sathiyasingh
	Standing Counsel

ORDER

The petitioner was employed as Selection Grade Senior Tradesman in the respondents Corporation and he retired from service on 31.10.2013 on attaining the age of superannuation.

2.He has filed this writ petition seeking for a direction to the respondent 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, directing the Corporation 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
The Managing Director,
State Express Transport Corporation Ltd.,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.

+1 cc to M/s.A.K.Thangavelu, Advocate in SR.No. 4052
+1 cc to M/s.K.Sathiya Singh, Advocate in SR.No. 4340

vsn

MAS/JM-MSK/09.02.2017 :2P/4C

W.P(MD) No.1189 of 2017
25.01.2017