



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD)No.15032 of 2017

N.Chandrasekar

... Petitioner

Vs.

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

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

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

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to pay entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity, Terminal Leave Salary and Commuted value of pension together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Rahul

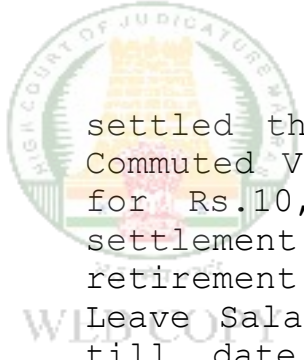
For Respondents : Mr.D.Sivaraman

for Standing Counsel of TNSTC

O R D E R

By consent, the writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner is a retired Driving Instructor from the Transport Corporation and retired from service with effect from 30.04.2017. His grievance appears that the respondents have not



settled the Provident Fund, Gratuity, Terminal Leave Salary and Commuted Value of Pension. It is stated that a post dated cheque for Rs.10,90,183 dated 20.06.2018 has been given towards the settlement of Provident Fund without interest. However, the other retirement benefits namely Provident Fund, Gratuity, Terminal Leave Salary and Commuted Value of Pension have not been settled till date. Finding no response, the petitioner has given a representation to the respondents to pay the entire terminal benefits with 18% interest per annum from the date of retirement. However, the same has not been considered. Hence, the petitioner is before this Court with this writ petition.

3.The learned Additional Government Pleader, on instructions, sought four weeks to consider the representation of the petitioner.

4. The issue relating to the payment of retirement benefits by the Transport Corporation is no more res integra. The first Bench in W.A.(MD) Nos.383 to 457 of 2015, keeping in mind the retirement benefits of the Driver and Conductors, having not been disbursed by the Transport Corporation, has given 12 equal monthly installments to clear all the retirement benefits with interest at 6%.

5.In the light of the order passed by this Court in the writ appeal cited supra, the respondents are directed to disburse the retirement benefits of the petitioner with 12 equal monthly installments and the first of such installment shall commence from the first week of October 2017.

6.The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

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

2. The General Manager,
The Tamil Nadu State Transport
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Kumbakonam Region, Kumbakonam,



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

+1 CC to M/s.A.RAHUL, Advocate, SR No. 72241/17.
+1 CC to M/s. D.SIVARAMAN, Advocate, SR No. 71893.

CP/RR
PSM/KP/SAR1/23.08.2017/3P/6C

W.P. (MD) No.15032 of 2017
10.08.2017