



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.1522 of 2017

J.Raja Lakshmi

... Petitioner

vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Region, Madurai.
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai Division - IV)Ltd, Dindigul - 624004.
- 3.The Branch Manager,
Tamil Nadu State Transport Corporation Ltd,
Natham Branch, Natham, Dindigul District. ... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to disburse the Earned Leave benefit that the petitioner entitle to get in lieu of the death of her husband G.Jeyaraman(Staff No.501762) with interest at the rate of 12% from the date of the death of her husband.

For Petitioner	: Mr.P.Pethu Rajesh
For Respondent	: Mr.A.Jayaram

ORDER

The petitioner's husband was employed as a driver in the respondent Corporation and he died on 13.04.2012 while in service. His wife/petitioner has filed this writ petition seeking direction to the respondents to disburse the Earned Leave benefit in lieu of the death of her husband G.Jeyaraman(Staff No.501762) with interest at the rate of 12% from the date of death of her husband.

2.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.



3. 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 earned leave benefits of the petitioner's husband that are yet to be settled, in twelve equal monthly instalments;

ii) The first instalment 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 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.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Region, Madurai.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai Division - IV) Ltd, Dindigul - 624004.

3. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd,
Natham Branch, Natham, Dindigul District.

+1cc to Mr.P.PETHU REJESH Advocate in SR. 4959

NBI
JS/BS/13.02.02017/2P-5C

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