



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.02.2017
CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) No.1676 of 2017

WEB COPY

V..Ramaraju

... Petitioner

vs.

1.The Management of

State Express Transport Corporation(Tamil Nadu)Limited,
represented 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

PPRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to pay the Petitioner arrears of wages for the period from 1.8.2012 to 30.6.2013, Rs.3,16,013/- towards leave salary and Rs.89,741/- as balance of gratuity, together with 18% interest per annum, along with interest amount towards delayed payment of E.PF Employee's Contribution amount Rs.2,11,268/- for the period from 30.6.2013 to 28.5.2016 on the same rate and further to direct the respondents to revise his pension from 1.7.2013 and to pay him arrears for the same for the period from 1.7.2013 together with 18% interest per annum, after calculating his wages from 1.8.2012 with basic pay Rs.12,895/- + Grade Pay 4300/- as admitted in the information dated 25.10.2016 furnished by the first respondent under RTI Act and after calculating his terminal/pension benefits based on such monthly wages payable to him on the month of his retirement I.e. June 2013 with the increased rate of dearness allowance as fixed for the period from 1.1.2013 to 30.6.2013

For Petitioner : M/s.S.Arunachalam

For Respondent-1 : Mr.K.Sathiya Singh, Standing Counsel

For Respondent-2 : Mr.A.P.Muthupandian, Standing Counsel

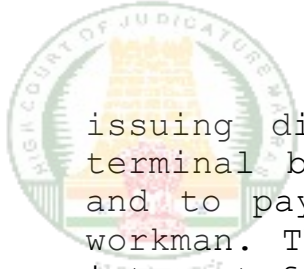
ORDER

The petitioner was employed as Checking Inspector in the respondents Corporation and he retired from service on 30.06.2013 on attaining the age of superannuation.

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

2.The petitioner has filed this writ petition seeking for a direction to the respondents to pay the arrears of retirement benefits along with revision of wages as mentioned in the prayer as stated supra.

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 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 along with revision of wages and other benefits as states supra, 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 April 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 amounts along with other benefits 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 (CS-I)

/TRUE COPY/

Sub Assistant Registrar

+1 cc to MR.K.Sathiya Singh, ADVOCATE, SR NO: 5642

+1 cc to MR.S.Arunachalam, ADVOCATE, SR NO: 5798

vsn

sva/mr/14.02.2017/2p/3c

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