



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.1965 of 2017

S. Ramanathan

... Petitioner

vs.

The Tamil Nadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Represented by its Managing Director,  
Karaikudi Region,  
27, New Railway Station Road,  
Kumbakonam.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Mandamus, directing the respondent to settle all of the petitioner's retirement benefits payable to him as per the settlement, dated 13.04.2015 U/s 12(3) of I.D. Act with effect from 01.09.2013, earned leave wages for 42 days, arrears of review salary for a period of 11 months from 01.08.2007 to 30.06.2008 and interest for commutation of pension based on his representation, dated 15.12.2016 with reasonable rate of interest, within the time stipulated by this Court.

For Petitioner : Mr.G.M. Xavier

For Respondent : Mr.D. Sivaraman

#### ORDER

The petitioner was employed as Selection Grade Driver in the respondent Corporation and he retired from service on 30.04.2014 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, 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 employees. 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 10<sup>th</sup> April 2017 and the amount in each of the remaining instalments shall be paid on or before 10<sup>th</sup> 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(Record)

/True Copy/

Sub Assistant Registrar

To  
The Managing Director,  
Tamil Nadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Karaikudi Region,  
27, New Railway Station Road,  
Kumbakonam.

+1cc to Mr.G.M.Xavier Advocate Sr.No.6269  
+1cc to Mr.D.Sivaraman, Advocate SR.No.6375

vsn

SM:BS-MR:24.02.2017:2p/4c

W.P (MD) No.1965 of 2017  
06.02.2017