BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.02.2017
CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.3136 of 2017

M.Rajendran ... Petitioner

vs.

1.The Managing Director,
State Express Transport Corporation(T.N.)Ltd.,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600 002.

2.The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600 002. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Mandamus, directing the Respondents to settle the Petitioner's terminal benefits including Provident Fund amount, pension amount, Leave Surrender Encashment, Social Security Scheme and Educational Institution Contribution together with 18% interest per annum from the date of retirement of the Petitioner i.e. on 31.03.2015 within the period stipulated by this court.

For Petitioner : M/s.M.Kannan

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

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

ORDER

The petitioner was employed as Technical Tradesman in the respondents Corporation and he retired from service on 31.03.2015 on attaining the age of superannuation.

2.He has filed this writ petition seeking for a direction to the respondents 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 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 10^{th} April 2017 and the amount in each of the remaining instalments shall be paid on or before 10^{th} 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
1.The Managing Director,
State Express Transport Corporation(T.N.)Ltd.,
Thiruvalluvar Illam, Pallavan Salai, Chennai-600 002.
2.The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai, Chennai-600 002.
+1 CC to M/s.K.SATHIYA SINGH, Advocate, SR No. 10220
+1 CC to M/s.M.KANNAN, Advocate, SR No. 10639
VSN
PSM/RSK/10.03.2017/2P/5C