



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.3175 of 2017

M.Vijaya

... Petitioner

vs.

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

... 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 the Petitioner's terminal benefits including Provident Fund 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 31.07.2014 within a period stipulated by this court.

For Petitioner	: M/s.M.Kannan
For Respondent	: Mr.K.Sathiya Singh Standing Counsel

ORDER

The petitioner was employed as Gardener in the respondent Corporation and he retired from service on 31.07.2014 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 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 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 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, she is entitled to receive. Likewise, if the petitioner has any grievance that she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

+1 cc to MR.M.KANNAN, Advocate SR.No.10640
+1 cc to MR.K.SATHIYASINGH, Advocate SR.No.10221

W.P(MD) No.3175 of 2017
23.02.2017

SMA/PN/09.03.2017:2P/4C