BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.3410 of 2017

R.Selvaraj ... Petitioner

vs.

1. The Managing Director,
   Tamilnadu State Transport Corporation (Madurai),
   Limited, Bye-pass Road, Madurai - 625 016.

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

3. The Branch Manager,
   Tamilnadu State Transport Corporation,
   (Madurai) Limited., Dindigul Region, Dindigul.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pay the (a) Commutation of Pension, (b) Gratuity, (c) Encashment of Leave, (d) Social Security Scheme Benefits with 18% interest per annum to the petitioner within a stipulated period.

For Petitioner : Mr.G.Vellaichamy
For R1 & R3 : Mr.A.Jeyaram
For R2 : Mr.A.P.Muthupandian

ORDER

The petitioner was the employee of the respondent Corporation and he retired from service on 28.02.2014 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 instalment 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, 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(P&A)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
   Tamilnadu State Transport Corporation (Madurai),
   Limited, Bye-pass Road, Madurai – 625 016.

2. The Administrator,
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3. The Branch Manager, Tamilnadu State Transport Corporation,
   (Madurai) Limited., Dindigul Region, Dindigul.

+1cc to Mr.G.Vellaichamy, Advocate Sr.No.10975

nbi
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