



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.3499 of 2017

N.Karthikai Selvi

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam)Limited,
represented by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Karaikudi.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to forthwith pay the death cum terminal benefits of the Petitioner's husband Late. R.Nagendran including Gratuity, Terminal Earned Leave Salary and Provident Fund with interest at the rate of 18% per annum from the date of death of her husband to till the date on which the above amounts are settled to her within the time stipulated by this Court.

For Petitioner : M/s.A.Rahul

For Respondents : Mr.D.Sivaraman

O R D E R

The Petitioner is the wife of the deceased employee, namely R.Nagendran, employed as Senior Grade Conductor in the first respondent Corporation, who died on 11.3.2015.

2.She has filed this Writ Petition seeking for a direction to the respondents to settle the death cum terminal benefits of the Petitioner's husband Late. R.Nagendran including Gratuity, Terminal Earned Leave Salary and Provident Fund with interest at the rate of 18% per annum from the date of death of her husband to till the date on which the above amounts are settled to the Petitioner.



3. Learned counsel for the respondents would submit that the Petitioner has not produced no objection certificate from other legal heirs of the deceased employee to process the payment.

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 husband of the Petitioner that are yet to be settled, to the Petitioner in twelve equal monthly instalments and the first instalment shall have to commence with effect from March 2017 or within a period of four weeks from the date of production of the aforesaid document, whichever is later and the amount in each of the remaining instalments shall be paid on or before 10th of every succeeding month;

ii) The said terminal amount shall carry interest at 6% per annum, as per the Division Bench Judgement in W.A.(MD) Nos. 383 to 457 of 2015. In case of delay in making instalments, the interest payable could be 18% for the delayed period;

iii) If the Petitioner has any further grievance, she is entitled to agitate the same as per law before the appropriate forum. No costs.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To:

1. The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
represented by its Managing Director,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region, Karaikudi.

+1cc to Mr.A.Rahul, Advocate SR.No.11325

+1cc to Mr.D.Sivaraman, Advocate SR.No.11326

vsn

sm:RR:09/03/2017:2P/5C

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

W.P. (MD) No.3499 of 2017

28.02.2017