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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.4568 of 2017

N.Pandian

.. Petitioner

Vs.

The Management of State Express
Transport Corporation (Tamilnadu) Ltd,
Rep. By its Managing Director,
Pallavan Salai, Chennai-2.

.. Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the petitioner Rs.2,10,394/- towards leave salary, Rs.50,000/- towards Social Security Scheme benefit, Rs.4,360/- towards refundable deposits, together with 18% interest per annum, along with interest amounts towards the delayed payment of EPF Employee's Contribution Rs.4,04,107/- for the period from 31.08.13 to 03.03.2016 at the same rate and also towards the delayed payment of Gratuity amount Rs.3,59,515/- for the period from 31.08.2013 to 13.05.2014 as per Sec.7(3A) of the Payment of Gratuity Act, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalalm

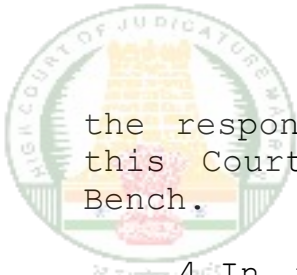
For Respondent : Mr.K.Sathiya Singh
Standing Counsel for TNSTC

O R D E R

The petitioner was employed as Driver in the respondent Corporation and he retired from service on 31.08.2013, on reaching 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) No.4568 of 2017, issuing direction to the transport Corporations to settle the terminal benefits of its employees in equal monthly installments 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 installments. The learned Standing Counsel for



the respondent has no objection to pass similar orders passed by this Court earlier following the order of the Hon'ble Division Bench.

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 installments;

ii) The first installment shall commence by making payment on or before 10th of May 2017 and the amount in each of the remaining installments 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 installments, 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(RTI)

/True Copy/

Sub-Assistant Registrar

To

The Management of State Express
Transport Corporation(Tamilnadu) Ltd,
Rep.By its Managing Director,
Pallavan Salai,
Chennai-2.

+1 CC TO MR.K.SATHIYA SINGH,ADVOCATE,SR NO.15635

+1 CC TO MR.S.ARUNACHALAM,ADVOCATE,SR NO.15930

pmu

MAS/RR/SAR4:06.04.2017:2P-4C

ORDER MADE IN
W.P. (MD) .No.4568 of 2017
17.03.2017



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