



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 22.03.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

Writ Petition (MD)No.4781 of 2017

M.Murugan ... Petitioner

-Vs-

1. The Managing Director,
The Tamilnadu State Transport Corporation
(Tirunelveli) Limited,
KTC Nagar, Tirunelveli - 11.
2. The General Manager,
The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Nagercoil Region,
Ranithottam, Nesamony Nagar,
Nagercoil, Kanniyakumari District ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay entire terminal benefits i.e. Gratuity, Commutation, Provident Fund, etc. to the petitioner along with 12% interest for the belated payment of all terminal benefits amount from the date of the petitioner's retirement to the actual date of payment based on the representation dated 20.02.2017.

For petitioner : Mr.K.Vamanan
For Respondents : Mr.K. Sathiya Singh,
Standing Counsel for TNSTC

O R D E R

The petitioner was employed as Driver in the respondents Corporation and he retired from service on 31.05.2014, 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 matters, 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 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 respondents 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

ASST REGISTRAR (CS III)

TRUE COPY

SUB ASST REGISTRAR

akv

1CC TO MR. K. SATHIYASINGH, ADVOCATE SR: 16803

1CC TO MR. K. VAMANAN, ADVOCATE, SR: 16731

KK/SKN RSK/

13/04/2017

2P 3C

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