



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.01.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.528 of 2017

WEB COPY

S.Issac Newton

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited, Tirunelveli.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited, Nagercoil Region, Ranithottam,
Nagercoil - 1

3) The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Tiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... 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 retirement benefits with interest to the petitioner in view of the representation dated 24.06.2016.

For Petitioner : M/s. S.Royce Immanuel

For Respondents : Mr.K.Sathiya Singh for R1 & R2
Mr. A.P.Muthu Pandian for R3.

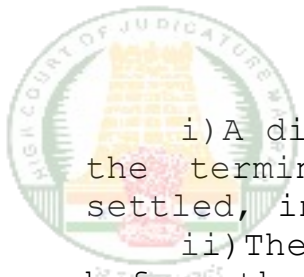
ORDER

The petitioner was employed as Technical Grade Level 5 in the respondents Corporation and he retired from service on 31.12.2014 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.

<https://hcservices.courts.gov.in/hcservices/>
4. In the above 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 March 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[CO]

/True copy/

Sub Assistant Registrar/-

To

1. The Managing Director
Tamil Nadu State Transport Corporation
Tirunelveli Limited
Tirunelveli.

2. The General Manager
Tamil Nadu State Transport Corporation
Tirunelveli Limited, Nagercoil Region, Ranithottam
Nagercoil - 1

3. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Tiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002

+1cc to M/s S.Royce Immanuel, Advocate, SR.2225

+1cc to M/s K.Sathiyasingh, Advocate, SR.2138

RJ2

KK-MSM-JM-31.01.17-2p-6c