



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2017

CORAM

WEB COPY

THE HONOURABLE **MR. JUSTICE S.S.SUNDAR**

W.P. (MD) .No.5467 of 2017

K.Balakrishnan

...Petitioner

Vs.

1.The Tamilnadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Represented by its Managing Director,  
Kumbakonam.

2.The General Manager,  
The Tamilnadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Karaikudi Region,  
Karaikudi.

...Respondents

**PRAYER:** Writ petition filed under Article 226 of the Constitution of India,praying to issue a Writ of Mandamus directing the respondents to settle the petitioner's Surrender leave salary of Rs.34,493/- for 32 days from 2011-2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

For Petitioner : Mr.A.Rahul

For R-1 and R-2 : Mr.D.Sivaraman  
Standing Counsel for TNSTC.

For R-3 : Mr. A.P.Muthupandian,  
Standing Counsel for TNSTC.

\*\*\*\*\*

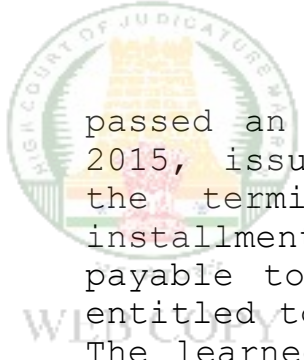
**ORDER**

The petitioner was employed as Superintendent in the respondents Corporation and he retired from service on 31.08.2016, 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.

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

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 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 10<sup>th</sup> of May 2017 and the amount in each of the remaining installments shall be paid on or before 10<sup>th</sup> 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(Protocol)

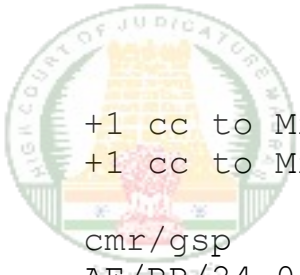
/True copy/

Sub Assistant Registrar

To

1. The Managing Director,  
Tamilnadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Kumbakonam.

2. The General Manager,  
The Tamilnadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Karaikudi.



+1 cc to Mr.A.Rahul , Advocate in SR.No. 18609

+1 cc to Mr.D.Sivaraman , Advocate in SR.No. 18475

cmr/gsp

AE/RR/24.04.2017/3P/5C

WEB COPY

W.P. (MD) .No.5467 of 2017  
28.03.2017