WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.04.2017
CORAM
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.6358 of 2017

R.Alwarammal ...Petitioner

Vs.

1.The Managing Director,
State Express Transport Corporation,
(Tamilnadu) Limited,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.
2.The Administrator,
Tamilnadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.
3.The Branch Manager,
State Express Transport Corporation (Tamilnadu) Ltd.,
Thoothukudi Branch, Thoothukudi. ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the Employees Provident Fund, Commutation of Pension, Encashment of Leave, Social Security Scheme and Medical, Engineering and Polytechnic College Contributions to the petitioner with 18% interest per annum within a stipulated period.

For Petitioner :Mr.G.Vellaichamy

For Respondents :Mr.K.Sathiya Singh for R1 and R3
Standing Counsel
Mr.A.P.Muthupandi for R2

O R D E R

The petitioner was employed as Canteen Helper in the respondents Corporation and she retired from service on 28.02.2015, on reaching the age of superannuation. She has filed this writ petition seeking for a direction to the respondents to pay the retirement benefits.

2.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

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

WEB COPY

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.

3. 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 June 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, she is entitled to receive. Likewise, if the petitioner has any grievance that she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Managing Director,
State Express Transport Corporation,
(Tamilnadu) Limited,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

2.The Administrator,
Tamilnadu State Transport Corporation Employees
Pension Fund Trust,Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

3.The Branch Manager,
State Express Transport Corporation (Tamilnadu) Ltd.,
Thoothukudi Branch, Thoothukudi.

+1 CC to M/s.G.VELLAICHAMY, Advocate, SR No. 51152
+1 CC to M/s.K.SATHYA SINGH, Advocate, SR No. 51079

JIKR
PSM/MR/SAR3/20.04.2017/2P/6C

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