



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2017

CORAM :

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P (MD) No. 702 of 2017

WEB COPY

G.Ambethrani

... Petitioner

vs.

1.The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents to settle terminal benefits of the petitioners husband Late.S. Gopal to the petitioner including gratuity and provident fund (including Employers contribution and Employees contribution) together with interest at the rate of 18% per annum payable from the date of death of her husband while on service of the 1st respondent corporation to till date on which the above benefits are settled to the petitioner.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

ORDER

The petitioner is the wife of the deceased employee, namely, S.Gopal, employed as Senior Grade Driver in the 1st respondent Corporation, who died on 12.02.2016.

2.She has filed this writ petition seeking for a direction to the respondents to settle terminal benefits of the petitioner's husband late.S. Gopal to the petitioner including gratuity and provident fund (including Employers contribution and Employees contribution) together with interest at the rate of 18% per annum payable from the date of death of her husband while on service of the 1st respondent corporation to till date on which the above benefits are settled to the petitioner.

3. Learned counsel for the respondents would submit that the petitioner has not produced no objection certificate from other legal heirs of the deceased employee to process the payment.



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 husband of the petitioner that are yet to be settled, to the petitioner in twelve equal monthly instalments and the 1st installment shall have to commence with effect from March, 2017 or within a period of four weeks from the date of production of the aforesaid document, whichever is later and the amount in each of the remaining instalments shall be paid on or before 10th of every succeeding month;

ii) The said terminal amount shall carry interest @ 6% per annum, as per the Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015. In case of delay in making instalments, the interest payable could be 18% for the delayed period;

iii) If the petitioner has any further grievance, she is entitled to agitate the same as per law before the appropriate forum. No costs.

Sd/-

Assistant Registrar(A.S)

/True copy/

Sub Assistant Registrar

To:

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

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

+1CC TO MR.D.SIVARAMAN, ADVOCATE, SR.NO:2591

+1CC TO MR.A.RAHUL, ADVOCATE, SR.NO:2398

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AE/SV MMS/22.02.2017/2P/5C

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12.01.2017