



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM :

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**W.P.(MD) No.8044 of 2017

C.Loganathan

... Petitioner

Vs.

1.The Management of
State Express Transport Corporation(Tamil Nadu) Ltd.,
Rep. By its Managing Director,
Pallavan Salai,
Chennai - 600 002.

2.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to pay petitioner Rs.6,20,009/- towards E.P.F. Employee's Contributions, Rs.80,401/- towards Leave Salary, Rs.50,000/- towards Social Security Scheme benefit, and also arrears of wages for the period from 01.09.2013 to 30.04.2014 payable pursuant to new wage settlement dated 13.04.2015, together with 18% interest per annum and arrears of pension for the period from 01.08.2014 by revising his pension, together with 18% interest per annum, after calculating all the terminal/pension benefits based on the monthly wages payable to him on the month of petitioner's retirement i.e. April, 2014 by revising the same as per the settlement dated 13.04.2015, as ordered by the Hon'ble Division Bench of this Court in its order dated 29.01.2016 in W.A. (MD)No.1457/2015 and etc., batch.

For Petitioner : Mr.S.Arunachalam

For R1 : Mr.K.Sathiya Singh,
Standing Counsel for TNSTCFor R2 : Mr.A.P.Muthupandian,
Standing Counsel for TNSTC

**O R D E R**

The petitioner was employed as "SG.SR.TM" in the respondents Corporation and he retired from service on 30.04.2014, on superannuation.

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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 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 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, 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(Records)

/True Copy/

Sub Assistant Registrar



To

1.The Management of
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2.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 600 002.

+1cc to M/s. S.ARUNACHALAM Advocate in SR. No.54471

+1cc to M/s. K.SATHIYA SINGH Advocate in SR. No.55313

CMR/GSP

JS/MMS/SAR.4/16.05.2017/3P-5C

W.P. (MD) No.8044 of 2017

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