



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.813 of 2017

P.Govindarajan

... Petitioner

vs.

1. The Secretary to Government  
Transport Department, Secretariat, Chennai - 9.

2. The Managing Director,  
Tamilnadu State Transport Corporation (Madurai) Ltd.,  
Bye Pass Road, Madurai - 625 016.

3. The General Manager,  
Tamilnadu State Transport Corporation (Madurai) Ltd.,  
Dindigul Region, Dindigul - 4.

4. The Administrator,  
Tamilnadu State Transport Corporation Employees Pension  
Fund Trust, Pallavan Salai, Chennai - 2. ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the Terminal Benefits such as interest on Belated Payment of Gratuity, Surrender Leave Salary, Commutation and Encashment of Unearned Leave on Private Affairs along with 18% interest within the stipulated period.

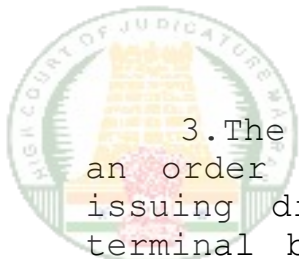
For Petitioner : M/s.S.Govindan

For Respondents : Mr.A.K.Baskara Pandian for R1  
Special Government Pleader  
Mr.A.Jeyaram for R2 & R3  
Mr. A.P.Muthupandian for R4

### ORDER

The petitioner was employed as Deputy Manager in the respondents Corporation and he retired from service on 30.11.2009 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.

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 instalments;

ii) The first instalment shall commence by making payment on or before the 10<sup>th</sup> March 2017 and the amount in each of the remaining instalments 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 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 (CS-I)

/True Copy/

Sub Assistant Registrar

To  
The Secretary to Government  
Transport Department, Secretariat,  
Chennai - 9.

+1 cc to MR.S.GOVINDAN, Advocate SR.No.3021  
+1 cc to Special Government Pleader SR.No.3379