



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.8142 of 2017

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R.Lingammal

... Petitioner

Vs.

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

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Virudhunagar Region, Virudhunagar.

3.The Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Rep.by its Administrator,
Thiruvalluvar House,
Pallavan 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 Respondents to pay all the death cum terminal benefits of the petitioner's husband Late.K.R.Mahendran payable to her including Provident Fund, Gratuity, Post Retirement Benefit Fund amount, family pension arrears from May 2016 to July 2016 and Leave Salary together with interest at the rate of 18% per annum from the date of his death to till the date of actual payment to her within the time that may be stipulated by this Court.

For Petitioner	: Mr.A.Rahul
For R1 and R2	: Mr.A.Jayaraman, Standing Counsel for TNSTC
For R3	: Mr.A.P.Muthupandian Standing Counsel for TNSTC

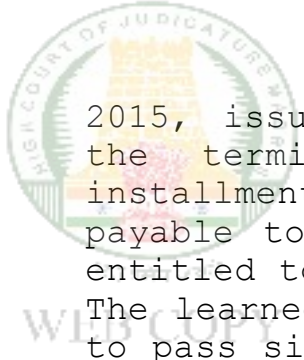
O R D E R

The petitioner's husband was employed as "Special Grade Driver" in the respondents Corporation and he died on 17.04.2016.

2.She 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 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 he is entitled. No costs.

Sd/-
Assistant Registrar(Protocol)

/True Copy/

Sub Assistant Registrar

To

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

2. The General Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Virudhunagar Region, Virudhunagar.

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3. The Administrator,
The Tamil Nadu State Transport Corporation



Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

+1cc to Mr.A.Rahul,Advocate,SR.54876

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CMR/GSP
kk/MR/19.05.2017-3P-5C