



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.8152 of 2017

N.Rajamony

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Tirunelveli -627 003.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,Nagarcoil Region,
Ranithottam,
Nagarcoil-1.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
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 the Pension and other retirement benefits from 01.04.1982 to 29.02.1996 in which the petitioner was working under respondent Corporation and in view of the Cutoff date was fixed by the Hon'ble Apex Court in Order passed in SLA (C) No.19016/2008.

For Petitioner : Mr.S.Royce Immanuel

For R1 and R2 : Mr.K.Sathiya Singh
Standing Counsel for TNSTC

For R3 : Mr.A.P.Muthupandian
Standing Counsel for TNSTC

**O R D E R**

The petitioner was employed as "Conductor" in the respondents Corporation and he retired from service on 29.02.1996, 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(CS-II)

/True copy/

Sub Assistant Registrar



To

1.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 002.

+1 cc to Mr.K.Sathya Singh , Advocate in SR.No. 55320
+1 cc to Mr.S.Royce Immanuel , Advocate in SR.No. 54622

cmr/gsp
AE/RSK/SAR4/11.05.2017/3P/4C

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