



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.21026 of 2016

M.Sumathi : Petitioner

Vs.

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

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

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to settle the petitioner's husbands retirement benefits including Provident Fund, Gratuity, Commutation of Pension and Arrears of Pension payable to her based on the settlement dated 13.05.2015 U/S 12(3) of ID Act w.e.f. 01.19.2013 with reasonable rate of Interest within the time that may be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondent No.1 : Mr.D.Sivaraman

For Respondent No.2 : Mr.A.P.Muthupandian

O R D E R

You can be young without money but you can't be old without it.

..Tennessee Williams

The husband of the petitioner was employed as Special Grade Tradesmen in the respondent Corporation and he retired from service on 31.03.2015 on reaching the age of superannuation.



2. She 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.

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, in twelve equal monthly installments;

ii) The first installment shall commence by making payment on or before the First Week of January, 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 she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The General Manager,

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

Kannur Region, Sivagangai.



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

WEB COPY

+1 cc to MR.G.M.XAVIER, Advocate SR.No.65832

+1 cc to MR.D.SIVARAMAN, Advocate SR.No.66247

W.P(MD)No.21026 of 2016
04.11.2016

SMA/CK/18.11.2016:2P/5C