BEFORE THE MADURAI BENCH OF MADRAS HIGH COUT
DATED : 30.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.22858 of 2016

P.Rajagopal ... Petitioner

vs.

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

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

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondent to pay interest at the rate of 18% per annum from the date of retirement to the date of actual payment for the belated payment of Pension Commutation.

For Petitioner : Mr.G.Venkataraman
For R - 1 : Mr.A.Jeyaram
For R - 2 : Mr.A.P.Muthupandian

ORDER

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

So pleads the petitioner, praying for disbursement of retirement benefits.

The petitioner was employed as Superintendent, in the respondent corporation and he retired from service on 30.06.2012 on reaching 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 12 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, the 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 1st 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.

5.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

mj

TO

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

2.The Administrator,
The Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai – 600 002.

+1cc to Mr.G.Venkataraman Advocate Sr.No. 74305

JAM/20.12.16/SS 2/ 2p-4c

W.P(MD)No.22858 of 2016
30.11.2016