



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P (MD) No. 24990 of 2016

M. Jannath Nisa

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
Coimbatore Limited, 37, Mettupalayam Road,
Coimbatore - 641 043.

2. The General Manager,
Tamil Nadu State Transport Corporation
Coimbatore Limited, Erode Region,
Sennimalai Salai,
Erode District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pay the retirement benefits with interest to the Petitioner in view of the representation dated 02.12.2016

For Petitioner : M/s. S. Royce Immanuel
For Respondents : Mr. K. Sathiya Singh

ORDER

The petitioner was employed as Assistant Tradesman in the respondents Corporation and she retired from service on 31.05.2016 on attaining 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 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 installment shall commence by making payment on or before the 10th March 2017 and the amount in each of the remaining instalments 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 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, 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 she is entitled. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

vsn

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
Coimbatore Limited, 37, Mettupalayam Road,
Coimbatore - 641 043.

2. The General Manager,
Tamil Nadu State Transport Corporation
Coimbatore Limited, Erode Region,
Sennimalai Salai,
Erode District.

+1 cc to Mr. Royce Immanuel Advocate, SR.No.152

+1 cc to Mr. K. Sathiya Singh Advocate, SR .No.115

GJM/RR/ME/24.1.17-2p-5C

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02.01.2017 (7/8)