

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 26.04.2018****CORAM :****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.9675 of 2018**

K.Pandi

... Petitioner

Vs.

The Managing Director
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Madurai Region,
Bypass Road, Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to sanction the retirement benefits of monthly pension, employees provident fund, gratuity and leave wages payable to the petitioner within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier
For Respondents : Mr.A.P.Muthupandian
Standing counsel for TNSTC

ORDER

By consent of both sides, this writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

3.The learned counsel for the petitioner would submit that the petitioner is a retired Tradesman from service with effect from 30.04.2007. He was dismissed from service on 06.06.1989 for alleged misconducts. Therefore, he raised an industrial dispute in I.D.No.172/1998. The Labour Court passed an award dated 14.11.2007 directing the respondent Management to reinstate the petitioner in service. However, before the award of the labour Court, the petitioner attained the age of superannuation on 30.04.2007 and hence, there is no question of reinstating the petitioner into service. Now, the grievance of the petitioner appears that the respondent Corporation have not settled the retirement benefits of monthly pension, employees provident fund, gratuity and leave wages. ~~Finalising on his response,~~ the petitioner has given a representation to the respondent on 06.04.2018 to pay the entire terminal benefits from the date of retirement. However, the same has not been



considered. Hence, the petitioner is before this Court with this writ petition.

4.The learned counsel for the respondent, on instructions, sought four weeks to consider the representation of the petitioner.

5. The issue relating to the payment of retirement benefits by the Transport Corporation is no more res integra. The first Bench in W.A.(MD) Nos.383 to 457 of 2015, keeping in mind the retirement benefits of the Driver, Conductors, having not been disbursed by the Transport Corporation, has given 12 equal monthly installments to clear all the retirement benefits with interest at 6%.

6.In the light of the order passed by this Court in the writ appeal cited supra, the respondent is directed to disburse the retirement benefits of the petitioner with 12 equal monthly installments with interest at 6% and the first of such installment shall commence from the first week of July 2018.

7.The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

The Managing Director
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Madurai Region,
Byepass Road, Madurai.

+1cc to Mr.G.M.Xavier, Advocate, SR.No.63950.

W.P. (MD) No.9675 of 2018

26.04.2018

RR

RAM/KKR/SAR 2/18.06.2018/2P/3C