



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
W.P(MD)No.21804 of 2018

WEB COPY

M.Rajendran,
Son of Manickam,
Special Grade Tradesman(Retired)
Staff No.84TH4094/12943,
Tamil Nadu State Transport Corporations
(Kumbakonam)Limited,
Pudukkottai Region.

Residing at
No.9, Kamarajapuram 19th Street,
Pudukkottai - 622 001.

... Petitioner

vs.

1. The Government of Tamil Nadu,
represented by its Secretary and Additional Chief
Secretary to Government and Chairman of State Transport
Undertakings,
Transport Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-9.

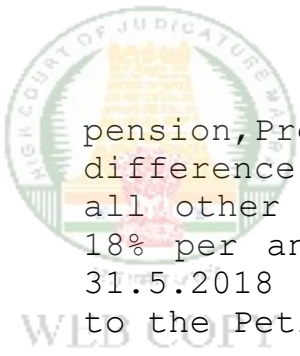
2. The Management of Tamil Nadu
State Transport Corporation(Kumbakonam)Limited,
represented by its Managing Director,
Kumbakonam.

3. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam)Limited,
Pudukkottai Region,
Pudukkottai..

4. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

... 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 settle the Petitioner's terminal
benefits including gratuity, earned leave, commuted value of



pension, Provident fund amount and pay revision arrears and difference in salary for the period from 1.9.2016 to 31.8.2017 and all other attendant monetary benefits together with interest at 18% per annum payable from the date of his retirement ie. From 31.5.2018 to till the date on which the said benefits are settled to the Petitioner.

For Petitioner : Mr.A.Rahul
For Respondent-1 : Mr.R.Sethuraman
Special Govt.Pleader
For Respondents : Mr.D.Sivaraman
2 and 3
For Respondent-4 : Mr.A.P.Muthupandian
Standing Counsel

ORDER

The petitioner was employed as Special Grade Tradesman in the respondents Corporation and he retired from service on 31.05.2018 on attaining 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 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.

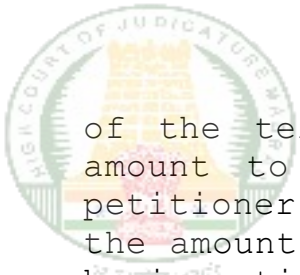
4.In these circumstances, this writ petition is disposed of with the following directions:-

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. Further, if there is any pay revision benefits, the same shall also be taken into account while settling the above terminal benefits

ii)The first installment shall commence by making payment on or before the 10th December 2018 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;

<https://hcservices.courts.gov.in/hcservices/>
The said 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 to. No costs.

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Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Secretary and Additional Chief
Secretary to Government and Chairman of State Transport
Undertakings,
Government of Tamil Nadu,
Transport Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-9.
2. The Managing Director,
Management of Tamil Nadu
State Transport Corporation (Kumbakonam) Limited,
Kumbakonam.
3. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
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pudukkottai.
4. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

+1cc to Mr.A.Rahul, Advocate Sr.No.92074

+1cc to Mr.D.Sivaraman, Advocate Sr.No.92010

+1cc to Spl.Government Pleader Sr.No.92205

vsn

VB/SKN/SAR1/26.11.2018/3P/8C

W.P (MD) No.21804 of 2018

25.10.2018