



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2018

CORAM :

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.21802 of 2018

K.Thirumeni
son of Kandasamy Udaiyar,
Special Grade Conductor(Retired),
Staff No.92CR2025,
Tamil Nadu State Transport Corporation
Kumbakonam) Limited,
Musiri Branch,
Karur Region.

Residing at
Valluvar Illam,
Vadugapatti,
Valayapatti Post,
Namakkal District.

... 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,
Karur Region,
Karur.

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

... Respondents

and Insti
together y

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 Conductor in the respondents Corporation and he retired from service on 30.04.2018 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.

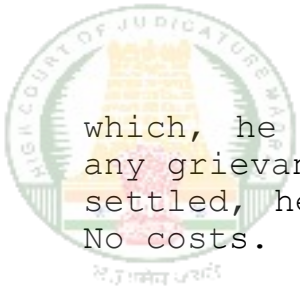
4. In these circumstances, this writ petition is disposed of with the following directions:-

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;

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 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-I)

/True Copy/

Sub Assistant Registrar(CS-II)

vsn

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

+1cc to Mr.A.Rahul, Advocate in SR No.92072
+1cc to Mr.D.Siva Raman, Advocate in SR No.92012
+1cc to Spl Government Pleader, SR No.92204

W.P(MD)No.21802 of 2018

NM/SV/SAR II/22.11.18/3P/6C