



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD)Nos.18941 & 18942 of 2018

1.R.Manohar ... Petitioner in W.P.No.18941/2018

2.M.Mahendran ... Petitioner in W.P.No.18942/2018

Vs.

1.The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Madurai.

2.The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

... Respondents in both W.Ps.

PRAYER IN WP.(MD)No.18941/2018: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity, Terminal Leave Salary, Employee Retirement Benefit Fund amount and Commuted value of pension together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

PRAYER IN WP.(MD)No.18942/2018: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity, Terminal Leave Salary, Employee Retirement Benefit Fund amount, VRS Compensation and Commuted value of pension together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Court.

For Petitioners : Mr.A.Rahul

For Respondents : Mr.A.Jeyaram
(in Both Cases)

**COMMON ORDER**

The petitioners seek to issue Writ of Mandamus, directing the respondents to pay entire eligible terminal benefits payable to the petitioners together with interest at the rate of 18% per annum from the date of their retirement to till the date of payment.

2. Mr.A.Jeyaram, the learned standing counsel takes notice for the respondents.

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 petitions stand disposed of with the following directions:-

i)A direction is issued to the transport corporation to settle the terminal benefits of the petitioners that are yet to be settled, in twelve equal monthly instalments;

ii)The first installment shall commence by making payment on or before October 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 workmen to question the computation of any of the terminal benefits, if the same is paid lesser than the amount to which, they are entitled to receive. Likewise, if the petitioners have any grievance that they are entitled to interest for the amount already settled, they can agitate the same as per law, if they are entitled. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Managing Director,

The Tamil Nadu State Transport

<https://hcservices.ecourts.gov.in/hcservices/> Corporation (Madurai) Ltd.,

Madurai.



2.The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+2CC to Mr.A.Rahul, Advocate, SR.Nos.81455, 81456

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31.08.2018

MPK
ES/SKN/RSK/SAR 4/31.10.2018/3P/5C