



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.12.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P(MD)No.24572 of 2018

V.Rajamani

... Petitioner

Vs.

1. The Management of Tamil Nadu
State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
rep., by its General Manager,
Karaikudi.

2. The Administrator,
Tamil Nadu State Transport
Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to pay the petitioner all his terminal benefits namely Rs.12,00,000/- towards EPF Employee's Contribution, Rs.10,08,372/- towards Gratuity and Rs.6,14,513 towards Encashment of 330 days of Earned Leaves and medical leaves Rs.5,000/- towards Refundable deposits and etc., forthwith together with 18% interest per annum and further directing the respondents to pay him Rs.8,28,729/- towards commutated value of pension and correct rate of full pension payable for his 33 years of pensionable service under TNSTCE Pension Fund Rules, with arrears of the same from the month of July, 2018 together with 18% interest per annum within a time frame as may be fixed by this Court.

For Petitioner	: Mr.S.Arunachalam
For R1	: Mr.D.Sivaraman
For R2	: Mr.A.P.Muthupandian

ORDER

The petitioner seeks direction for payment of terminal benefits. In similar cases, this Court has issued certain directions following the decision of the Hon'ble Division Bench of this Court in W.A(MD).Nos.383 to 457 of 2015 dated 12.06.2015.

<https://hcservices.ecourts.gov.in/hcservices/>

2. In view of the same, the Writ Petition is dispose 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 installments.

ii) The first installment shall commence by making payment on or before the 10th February 2019 and the amount in each of the remaining installments 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 installments, 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. No costs.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The General Manager,
Management of Tamil Nadu
State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Karaikudi.
2. The Administrator,
Tamil Nadu State Transport Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2.

+ 1 CC TO Mr.S.ARUNACHALAM, ADVOCATE IN SR No. 100235
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 100145

RMK

TE/PM/SAR-4 : 26/12/2018 : 2P/5C

W.P (MD) No.24572 of 2018
13.12.2018