



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.24697 of 2018

C.Arumugam

... Petitioner

Vs.

1.The Management of Tamilnadu
State Transport Corporation
(Kumbakonam) Ltd,
Rep.by its Managing Director,
Kumbakonam.

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

... Respondents

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to pay the petitioner Rs.12,99,731/- towards EPF Employee's Contribution amount, Rs.20,00,000/- towards Gratuity, Rs.11,11,008/- towards encasement of 240 days of Earned Leaves together with 18% interest per annum and etc., and further directing the respondents to pay him Rs.20,52,134/- towards the pension commutation together with 18% interest per annum within a time frame.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.D.Sivaraman

ORDER

The petitioner was employed as a Chief Financial Officer in the respondent corporation. He retired from service on 30.06.2018 on reaching the age of superannuation. His grievance is that the retirement benefits have not been disbursed. Therefore, he has come to this Court for issuing a writ of mandamus for directing the first respondent to pay the said benefits.

2.In similar circumstances, the Hon'ble First bench of this Court had passed an order directing the management of the transport corporations to settle the terminal benefits of the employees in



equal monthly instalments with 6% interest. Such a direction was issued in WA (MD)No.4552 of 2015 on 12.06.2015. Following the same, this writ petition is disposed of with the following directions :

(i) A direction is issued to the respondent transport corporation to settle the terminal benefits of the petitioner that are yet to be settled in twelve equal monthly instalments.

(ii) The first instalment shall commence by making payment on or before 10th of March 2019 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.

3. This writ petition is disposed of on these terms. No costs.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-I)

- 1 CC TO Mr.D.SIVARAMAN , ADVOCATE IN SR No.100567.
- + 1 CC TO Mr.S.ARUNACHALAM , ADVOCATE IN SR No.100598.
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