



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) No.18860 of 2018

Annamayil
W/o.Pitchaimani,
D.No.19, Savadi Street,
Markkaiyankottai,
Uthamapalayam Taluk,
Theni District.

... Petitioner

vs.

1. The Chairman,
Tamil Nadu State Transport Corporation,
Ezhilagam, Chepauk,
Chennai - 600 005.

2. The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai Division-I) Limited,
Bypass Road, Collectorate Post,
Dindigul.

3. The Accountant General of Tamil Nadu,
Office of the Accountant General,
Teynampet,
Chennai - 600 018.

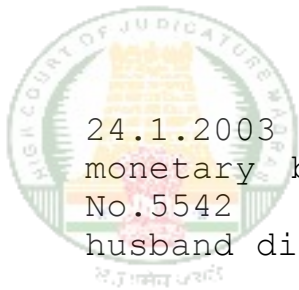
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondents to disburse all the monetary benefits such as family pension, death benefits, arrears of salary and other benefits of Petitioner's deceased husband namely Pitchaimani by considering the Petitioner's representation dated 6.7.2018.

For Petitioner	: Mr.R.Mariappan
For Respondents	: Mr.A.Jeyaram
1 and 2	
For Respondent-3	: Mr.P.Gunasekaran

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
The petitioner's husband was employed as Conductor in the respondents 1 and 2/ Corporation and he was dismissed from on



24.1.2003 for certain charges and then he was reinstated with all monetary benefits as per order of this Court made in W.P(MD) No.5542 of 2009, dated 23.2.2017. While so, the Petitioner's husband died on 26.8.2017.

2. Hence, the Petitioner/wife of the deceased employee has filed this writ petition seeking for a direction to the respondents 1 and 2 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 respondents 1 and 2/transport corporation to settle the terminal benefits of the petitioner's husband that are yet to be settled, in twelve equal monthly instalments;

ii) The first installment shall commence by making payment on or before the 10th 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 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 she is entitled to interest for the amount already settled, she can agitate the same as per law, if she is entitled. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Chairman,

<https://hcservices.sco.nic.in/hcservices/>
Salem, Tamil Nadu State Transport Corporation,
Ezhilagam, Chepauk, Chennai - 600 005.



2. The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai Division-I) Limited,
Bypass Road, Collectorate Post,
Dindigul.

3. The Accountant General of Tamil Nadu,
Office of the Accountant General,
Teynampet,
Chennai - 600 018.

+ 1 CC TO Mr.R.MARIAPPAN, ADVOCATE IN SR No. 81814
+ 1 CC TO Mr.A.JEYARAM, ADVOCATE IN SR No. 81461
+ 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 81427

VSN

TE/RSK/SAR-1 : 25/09/2018 : 3P/7C

W.P(MD)No.18860 of 2018
30.08.2018