



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 11.09.2018

CORAM

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P (MD) No.19576 of 2018

WEB COPY

B.V.Raghavan

...Petitioner

Vs

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

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Pudukkottai Region,
Pudukkottai-622 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to pay entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity and Terminal Leave Salary 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 stipulate by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

ORDER

The Petitioner has come forward with this Writ Petition seeking to issue a Writ of Mandamus, to direct the respondents to pay entire eligible terminal benefits payable to the petitioner including Provident Fund, Gratuity and Terminal Leave Salary 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 stipulate by this Court.

2.When the matter is taken up for hearing today, the learned counsel appearing for the Petitioner has produced a copy of the judgment in **W.A (MD) Nos.465 of 2013** and batch, dated **30.6.2017**, wherein this Court while dealing with the similar issue, has passed the following order:

'39.In the result, the first set of Writ Appeals filed by the Management are dismissed, the second set of Writ Appeals filed by the workmen are partly allowed, and the third and last set of Writ Appeals filed are allowed, with a direction to the Management



to settle the entire terminal benefits to the workmen in twelve equated monthly installments together with the simple interest at 6% per annum on the expiry of three months from the date of retirement of the concerned workman, in default, to pay interest at the rate of 18% per annum from the date of retirement till the date of payment. The first monthly installment shall commence from November 2017 and the terminal benefits shall be paid on or before 10th of the said month and the remaining installments shall be paid on or before 10th day of every succeeding month. No costs. Consequently, connected Miscellaneous Petitions are closed.''

3. On a perusal of the judgement referred to by the learned counsel for the Petitioner, it is apparent that the matter is squarely applicable to the facts of the present case. Therefore, this Writ Petition is disposed of in terms of the above judgement as follows:-

'There shall be a direction to the Management to settle the entire terminal benefits to the workmen in twelve equated monthly installments together with the simple interest at 6% per annum on the expiry of three months from the date of retirement of the concerned workman, in default, to pay interest at the rate of 18% per annum from the date of retirement till the date of payment. The first monthly installment shall commence from November 2018 and the terminal benefits shall be paid on or before 3rd of the said month and the remaining installments shall be paid on or before 10th day of every succeeding month.''

No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS-IV)

+ 1 CC TO MR.A.RAHUL, ADVOCATE IN SR NO.84161
+ 1 CC TO MR.D.SIVARAMAN, ADVOCATE IN SR NO.83547

TA

BU/RSK/SAR-IV :29.10.2018 : 2P/3C