



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.20910 of 2018

WEB COPY

M.Manoharan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Byepass Road, Madurai - 16.

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Dindigul - 4.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai,
Chennai - 2.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the pensionary benefits with commutation of pension from the date of retirement on 01.04.2014 along with interest at the rate of 18% per annum for the belated payment of pensionary benefits.

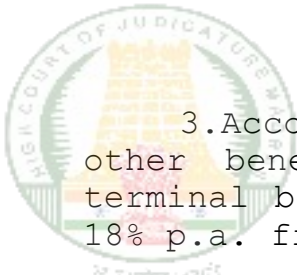
For Petitioner : Mr.S.Govindan

For Respondents : Mr.A.P.Muthupandian

ORDER

The petitioner has come forward with the present Writ petition to issue a Writ of Mandamus, directing the respondents to settle the pensionary benefits with commutation of pension from the date of his retirement i.e., on 01.04.2014 along with interest at the rate of 18% per annum for the belated payment of pensionary benefits.

2.The petitioner having been dismissed from service has raised an Industrial Dispute before the Labour Court, Madurai, which resulted in Award in I.D.No.113 of 2004 on 10.09.2008 and the said award has been confirmed by this Court in W.P.(MD)No.1273 of 2009 on 16.04.2014. As the said award has become final, the respondents / Management, in the contempt petition in Cont.P.(MD)No.1502 of 2014 initiated by the petitioner, has filed a memo, stating the details of pensionary benefits to be paid to the petitioner



3. According to the petitioner, except pensionary benefits, all other benefits have been paid to him. He submitted that the terminal benefits due to him may be paid together with interest at 18% p.a. from the date of his retirement ie., from 01.04.2014.

4. When the matter is taken up for hearing, the learned counsel appearing for the respondents would submit that the respondents are ready to pay pensionary benefits in 12 equal monthly installments commencing from the First December 2018 together with interest at 6% p.a.

5. In view of the above said submission, the respondents are directed to pay pensionary benefits due to the petitioner in 12 equal monthly instalments. The first instalment shall be commenced from October 2018 onwards and the same shall be paid on or before 10th of every subsequent months. For the month of October 2018 alone the pensionary benefit has got to be paid on or before 2nd November 2018.

6. This Court makes it very clear that if the amount is not paid and if there is any default, the interest payable to the petitioner will be recovered from the officials concerned. The Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Byepass Road, Madurai - 16.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region, Dindigul - 4.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai, Chennai - 2.

+1CC to Mr. S. Govindan, Advocate, SR.No.89088

W.P. (MD) No.20910 of 2018
05.10.2018