



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.10274 of 2019

WEB COPY

G. Annadurai

... Petitioner

Vs.

1.The Management of Tamil Nadu
State Transport Corporation,
(Kumbakonam) Limited,
rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Nagapattinam Region,
Nagapattinam.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to settle him terminal benefits including gratuity, provident fund, commuted value of pension, Cholan Employees Security Scheme amount, Leave Salary and Refund of his contribution made towards Medical Engineering, Polytechnic Colleges and Institute of Road Transport and all other attendant benefits together with interest at the rate of 18% per annum payable from the date of petitioner retirement i.e., from 28.02.2019 to till date on which the said benefits are settled to the petitioner.

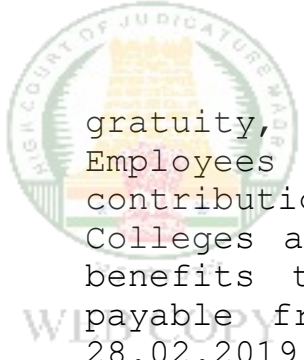
For Petitioner : Mr. A. Rahul

For Respondents : Mr. D. Sivaraman

ORDER

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

This writ petition is filed seeking to direct the respondents to settle the petitioner's terminal benefits including



gratuity, provident fund, commuted value of pension, Cholan Employees Security Scheme amount, Leave Salary and Refund of his contribution made towards Medical, Engineering, Polytechnic Colleges and Institute of Road Transport and all other attendant benefits together with interest at the rate of 18% per annum payable from the date of petitioner's retirement i.e., from 28.02.2019 to till date.

2. Mr. D. Sivaraman, learned Standing Counsel takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that he retired from service on 28.02.2019. Claiming that his pensionary benefits have not been settled, he has come forward with this Writ Petition, seeking a Writ of Mandamus as aforesaid.

4. In support of the claim of the petitioner, the learned counsel appearing for the petitioner relied upon the order of this Court in WP(MD).No.23897 of 2016, dated 14.12.2016. In the said order, this Court issued directions for payment of pensionary benefits in installments relying upon the order of the Division Bench in WA(MD).Nos.383 to 457 of 2015, dated 12.06.2015. Hence, the learned counsel prayed for a similar order in this Writ Petition as well, for which the learned counsel appearing for the respondents has no serious objection.

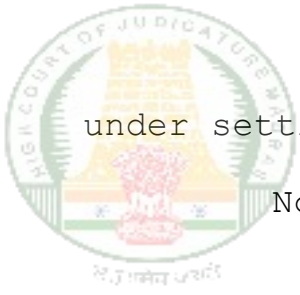
5. In view of the above submissions, the Writ Petition is disposed of with the following directions:

(i) A direction is issued to 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 10th June 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 amounts 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. That the petitioner has any grievance that he is entitled to interest for the amount already settled, he can agitate the same as per law. While granting such relief, the pay revision given



under settlement shall also be considered.

No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-III)

Sub Assistant Registrar (CS)

To

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State Transport Corporation,
(Kumbakonam) Limited,
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Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai -2.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-63426[F] dated
27/04/2019)

trp

W.P (MD) No.10274 of 2019
26.04.2019

MK/(20.05.2019) 3P 5C