



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

WEB COPY

W.P(MD) .No. 14243 of 2019

B. Maharajan

: Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli Region,
Represented by its General Manager,
Nagarcoil.

: Respondent

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondent to settle and pay all terminal benefits to the petitioner by paying Rs.8,03,796/-towards Gratuity, Rs.8,77,766/-towards EPF Employee's Contribution, Rs.4,32,166/-Encashment of 254.5 days of Earned/Sick Leaves and etc., forthwith together with 18% interest per annum, within a time frame fixed by this Court.

For Petitioner

: Mr.S. Arunachalam

For Respondents

: Mr.Sathiya Singh

ORDER

This Writ Petition has been filed seeking direction to the respondent to settle and pay all terminal benefits to the petitioner by paying Rs.8,03,796/-towards Gratuity, Rs.8,77,766/-towards EPF Employee's Contribution, Rs.4,32,166/-Encashment of 254.5 days of Earned/Sick Leaves and etc., forthwith together with 18% interest per annum, within a time frame fixed by this Court.

2. Today, when the matter is taken up for hearing both the parties agreed to pass similar order, as passed by this Court in W.P.(MD) No.880 of 2019 dated 11.01.2019, wherein this Court has issued certain directions to the Transport Corporation at paragraph No.5 for payment of pensionary benefits in installments, relying upon the order of the Division Bench of this Court in W.A (MD)No.383 to 457 of 2015, dated 12.06.2015.



3. In view of the same, this Writ Petition is disposed of with the following directions:-

i). A direction is issued to the 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 the 10th August, 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 amount 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. 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."

No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

The Managing Director
Tamilnadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region,
Represented by its General Manager,
Nagarcoil.

+1cc to Mr.S.Arunachalam, Advocate, SR.No.73043

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NA (23.07.2019) 2P : 3C