



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. 14264 of 2019 and
W.M.P. (MD) No.10712 of 2019

C. Ganesan : Petitioner

Vs.

1. The Management of
Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Represented by its General Manager,
Karaikudi.

2. The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2. : Respondents

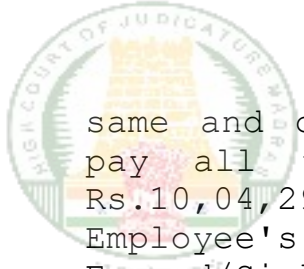
PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Certiorarified Mandamus after calling for the records relating to the order of the first respondent dated 14.06.2019 passed in Ref.TNSTC/Karai/L/1969, quash the same and consequently direct the first respondent to settle and pay all the terminal benefits of the petitioner by paying Rs.10,04,298/-towards Gratuity, Rs.5,41,475/-towards EPF Employee's Contribution, Rs.4,90,933/- Encashment of 269 days of Earned/Sick Leaves and etc., forthwith together with 18% interest per annum, and further directing the respondents to pay him Rs.8,25,414/-towards Commutated Value of Pension under TNSTCE Pension Fund Rules, together with 18% interest per annum, within a time frame fixed by this Court.

For Petitioner : Mr.S. Arunachalam

For Respondents : Mr.P. Balasubramanian
Standing Counsel

ORDER

This Writ Petition has been filed seeking direction to call for records relating to the order of the first respondent dated 14.06.2019 passed in Ref.TNSTC/Karai/L/1969 and quash the



same and consequently direct the first respondent to settle and pay all the terminal benefits of the petitioner by paying Rs.10,04,298/-towards Gratuity, Rs.5,41,475/- towards EPF Employee's Contribution, Rs.4,90,933/- Encashment of 269 days of Earned/Sick Leaves and etc., forthwith together with 18% interest per annum, and further directing the respondents to pay him Rs.8,25,414/-towards Commutated Value of Pension under TNSTCE Pension Fund Rules, 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 25th September, 2019 and the amount in each of the remaining installments shall be paid on or before 25th 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //



1. The Management of
Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Represented by its General Manager,
Karaikudi.

2. The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.

+1cc to Mr.S.Arunachalam,Advocate, SR.No.73677

+1cc to Mr.P.Balakrishnan,Advocate, SR.No. 73784

W.P(MD) .No. 14264 of 2019

NA (23.07.2019) 3P : 5C