



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) Nos. 5471 and 5472 of 2019

P. Muthuraman

... Petitioner in WP (MD) No. 5471/2019

M. Thanga Anbalagan

... Petitioner in WP (MD) No. 5472/2019

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi,
Sivagangai District.

3. The Administrative Officer,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

... Respondents in both W.Ps.

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioners' retirement benefits including Gratuity, Leave Salary and all other attendant benefits with interest at the rate of 18% per annum from the date of their retirement i.e. 31.08.2018 and 30.06.2018 respectively within a time frame as fixed by this Court.

For Petitioners : Mr. D. Senthil

For Respondents : Mr. D. Sivaraman

in both writ petitions.

COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents to settle the petitioners' retirement benefits including Gratuity, Leave Salary and all other attendant benefits with interest at the rate of 18% per annum from the date of their retirement i.e. 31.08.2018 and 30.06.2018 respectively.

2. Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents. By consent, the writ petitions are disposed of at the stage of admission itself.



3. The petitioners were employed as Driver Grade - V and Conductor Grade - IV respectively in the respondent corporation and they retired from service on 31.08.2018 and 30.06.2018 respectively, on attaining the age of superannuation. Seeking terminal benefits, they filed these writ petitions.

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4. The First Bench of this Court, in similar matter, has delivered the judgment dated 12.06.2015 in W.A(MD)Nos.383 to 457 of 2015, issuing direction to the transport corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest on the terminal benefits payable to the workman. The Bench has also held that workman is entitled to 18% interest for the defaulted period of installments.

5. In these circumstances, the writ petitions are disposed of with the following directions:-

(i) A direction is issued to the transport corporation to settle the terminal benefits of the petitioners that are yet to be settled, in twelve equal monthly installments.

(ii) The first installment shall commence by making payment on or before 1st week of April, 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.

No costs.

sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam, Thanjavur District.
2. The General Manager,
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+1 CC to MR.D.SIVARAMAN, Advocate (SR-52686[F] dated 08/03/2019)
+1 CC to MR.D.SIVARAMAN, Advocate (SR-52685[F] dated 08/03/2019)

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