



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD) .No. 17718 of 2019

R. Rajendran

... Petitioner

Vs.

1. The Management of Tamilnadu State
Transport Corporation (Kumbakonam) Limited,
Represented 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 for issuance of a Writ of Mandamus to direct the respondents to settle the petitioner's terminal benefits including gratuity, earned leave salary, commuted value of pension, provident fund amount and pay revision arrears and all other attendant monetary benefits together with interest at the rate of 18%per annum payable, from the date of his retirement i.e., from 30.04.2019 to till the date on which the said benefits are settled to the petitioner.

For Petitioner : Mr.A. Rahul

For Respondent-1 & 2 : Mr. D.Sivaraman
Standing Counsel

O R D E R

The Writ Petition has been filed seeking for a direction to the respondents-1 to 3 to pay the retirement benefits.

2. According to the petitioner, he was retired from service on 30.04.2019 and even till date, his terminal benefits have not been settled by the respondents. He has made a representation, dated



04.07.2019 to to settle his retirement benefits with interest, so far, no order has been passed by the respondents. Hence, the instant writ petition is filed.

3. The First Bench of this Court in similar matter has passed an order, 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 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.

4. In these circumstances, 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 First Week of October, 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 16% 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.

5. With the above directions, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

Ksa

To

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



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

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3. The Administrator,
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Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 2.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-81381[F] dated 13/08/2019)

+1 CC to M/s.A.RAHUL, Advocate (SR-81577[F] dated 14/08/2019)

W.P[MD]]No.17718 of 2019
13.08.2019

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