



WP(MD)No.14430 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE G. CHANDRASEKHARAN**

W.P.(MD)No.14430 of 2022

B.Gowri

... Petitioner

/vs./

The Managing Director,
The Management of
Tamilnadu State Transport Corporation (Madurai) Limited,
Dindigul Region,
Dindigul

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay the petitioner the terminal benefits payable for the services of her husband/deceased employee M.Balaji, Staff No.TR40853, namely EPF Employee's contribution amount, Gratuity, Encashment of Leave, etc., together with 18% interest per annum.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.S.C.Herold Singh

Standing Counsel



WP(MD)No.14430 of 2022

WEB COPY

ORDER

This Writ Petition has been filed to direct the respondent to pay the terminal benefits payable for the services of her husband/deceased employee M.Balaji, Staff No.TR40853, namely EPF Employee's contribution amount, Gratuity, Encashment of Leave, etc., together with 18% interest per annum, to the petitioner.

2.Mr.S.C.Herold Singh, learned Standing Counsel, takes notice for the respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submitted that the petitioner's husband namely M.Balaji was working in the respondent Corporation as Assistant Tradesman from 1987. Thereafter, he retired from service on 31.05.2019, while he was working as Special grade Tradesman. He further submitted that the Gratuity payable to the petitioner's husband is Rs.9,00,000/-, which was not paid by the respondent to the petitioner's husband. He is entitled



WP(MD)No.14430 of 2022

WEB COPY

for Encashment earned leave and medical leave in his credit. Thereafter, the petitioner's husband died on 10.12.2020, due to his illness. He further submitted that the terminal benefits, namely EPF Employee's Contribution amount, Gratuity, Encashment of Leave, etc., have not been paid by the respondent to him. Thereafter, the petitioner sent a representation on 27.05.2022 to the respondent. Since the same has not been considered, the petitioner has approached this Court by way of filing this Writ Petition.

4.The learned standing counsel appearing for the respondent submitted that if the petitioner submits representation along with necessary documents, her representation will be considered.

5.Considering the rival submission and on perusal of the records, it seen from the proceedings of the respondent dated 11.02.2020, that the petitioner's husband was receiving Net Pension of Rs.20,107/-. This order also shows that the petitioner was appointed as nominee for her husband. Therefore, this Court finds that there is no impediment for paying terminal benefits whatever her deceased husband is entitled to. Hence, this Court directs the respondent to pay



WP(MD)No.14430 of 2022

the terminal benefits as claimed in the petition as per entitlement with interest at the rate of 6% per annum in three equal monthly installments, whereby the first installment shall commence from 1st of September 2022.

6. With the above direction, this Writ Petition is disposed of. No costs.

13.07.2022

Index : Yes / No

Internet : Yes / No

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WEB COPY



WP(MD)No.14430 of 2022

G. CHANDRASEKHARAN, J.

vsg

Order made in
W.P.(MD)No.14430 of 2022

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