



W.P.(MD) No.16420 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16420 of 2022

S.Vasukirani

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation Limited,
Rep.by its Managing Director,
Madurai Division, Bye Pass Road,
Madurai-625 016.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Dindigul Region, Chettinayakkanpatti Post,
Dindigul-624 005.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to pay the terminal benefits amount payable to the petitioner such as P.F. and Refund amount of Post Retirement Scheme amount of Rs.4,43,876/- together with 6% interest from the date of death of her husband i.e., 07.09.2019 to till the date of payment to her within the stipulated period.



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For Petitioner : Mr.A.K.Thangavelu
For Respondent : Mr.S.Raja
Standing Counsel

ORDER

The grievance of the petitioner is that her husband, who was ex-employee of the respondent Corporation, expired on 07.09.2019 and till date, the terminal benefits including the Provident Fund and refund amount of Post Retirement Scheme have not been disbursed to the petitioner herein.

2. When the petitioner herein had filed an application under the provisions of the Right to Information Act, 2005 seeking for particulars with regard to the Provident Fund Contribution amount [share of both employee and employer] payable to her husband as well as Post Retirement Scheme benefits, the respondent, in their reply to the application filed by the petitioner under the Right to Information Act dated 17.06.2022, had stated that a sum of Rs.4,36,876/- (Rupees Four Lakhs Thirty Six Thousand Eight Hundred and



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Seventy Six only) is due to be payable to the petitioner towards the Provident Fund Contribution and a sum of Rs.6,250/- (Rupees Six Thousand Two Hundred and Fifty only) is due towards the refund amount of the Post Retirement Scheme. When the respondents themselves had admitted that the aforesaid terminal benefits are due to the petitioner, there is no justification on their part to have withheld such benefits from the year 2019 onwards. In this background, the petitioner herein would be entitled to receive the interest on the outstanding due.

3. In view of admission of the respondents towards the dues of the petitioner, there shall be a direction to the respondents herein to forthwith disburse the Provident Fund Contribution of both employee and employer to the tune of Rs.4,36,876/- (Rupees Four Lakhs Thirty Six Thousand Eight Hundred and Seventy Six only) and a sum of Rs.6,250/- (Rupees Six Thousand Two Hundred and Fifty only) towards the refund amount of Post Retirement Scheme together with interest at the rate of 6% per annum from the date of death of the petitioner's husband (i.e.,) 07.09.2019. The substantial order shall be passed by the respondents atleast within a period of four weeks



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from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition is allowed. No costs.

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Index : Yes / No
Speaking Order/ Non Speaking Order

ssb

To

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M.S.RAMESH,J.

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