



W.P.(MD) No.16855 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.16855 of 2026

K.Muthukannu

... Petitioner

-VS-

1.The Government of Tamilnadu
rep.by its Secretary to Government
Transport Department, Secretariat
Chennai-600 009

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

3.The General Manager
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Periyamilaguparai, Trichy Region
Tiruchirappalli District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to forthwith compute, sanction and disburse the petitioner's all terminal benefits, namely, gratuity, leave



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encashment, provident fund, commutation of pension and all other consequential service and terminal benefits lawfully due, together with interest thereon at the rate of 6% per annum from the respective dates on which the said benefits fell due till the date of actual payment.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.M.Dinesh Hari Sudarsan
Counsel for the Government for R1
Mr.P.F.Ferlin Castro
Standing Counsel for R2 & R3

ORDER

Mr.M.Dinesh Hari Sudarsan, learned counsel for the Government, takes notice for the first respondent and Mr.P.F.Ferlin Castro, learned Standing Counsel, takes notice for the respondents 2 & 3.

2. With the consent of both sides, this writ petition is disposed of at the admission stage.

3. Heard the learned counsel for the petitioner and learned counsel for the Government and learned Standing Counsel appearing for the respective respondents.



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4. The petitioner served in the respondent – Transport Corporation as a Driver and retired from service on attaining the age of superannuation on 31.05.2023. However, in view of certain disputes regarding the conferment of permanent status and the pendency of litigation before this Court, including in W.A.(MD) No.2167 of 2025, the terminal benefits of the petitioner could not be disbursed. Further, the petitioner has not submitted the requisite Form No.59 to enable the respondent – Transport Corporation to process the payment of the terminal benefits. Therefore, the petitioner has filed the present writ petition seeking a mandamus directing the respondent – Transport Corporation to disburse the entire terminal benefits.

5. Learned Standing Counsel appearing for the respondent – Transport Corporation, on instructions, submitted that unless and until the petitioner submits Form-59, the process for release of the terminal benefits cannot be undertaken by the respondent – Transport Corporation.

6. Learned counsel for the petitioner submitted that Form-59 contains an undertaking not to take any legal proceedings against the respondent – Transport Corporation with regard to the payment of terminal benefits. If such an undertaking is given, the petitioner's right in the pending



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proceedings relating to the claim for permanent status and other consequential benefits would be adversely affected.

7. Taking into consideration the peculiar facts and circumstances of the case, this Court is of the considered view that this writ petition can be disposed of with the following directions:

- (i) The petitioner is permitted to submit Form-59 without prejudice to his rights in the pending proceedings. In the event, the petitioner submits the same, the respondent – Transport Corporation shall process the same and release the terminal benefits, without prejudice to the rights of the petitioner in the pending proceedings, as expeditiously as possible, at any rate, within a period of twelve weeks from the date of receipt of a copy of this order.
- (ii) It is further made clear that if the petitioner succeeds in the pending proceedings, it will be open to the petitioner to seek revision of his pensionary benefits in terms of the order that may be passed in the pending proceedings.



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8. Accordingly, this writ petition is disposed of. No costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk

To:
The Secretary to Government,
Transport Department, Secretariat,
Government of Tamilnadu,
Chennai-600 009.



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MUMMINENI SUDHEER KUMAR, J.

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