

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11029 of 2017

1.Vijaya
2.Sumathi
3.Kumaran
4.Manivannan

.. Petitioners

-vs-

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem - 636 007.

2.The Administrator,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Employees Post Retirement
Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002.

.. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle all the terminal benefits of R.Rathinam to the petitioners with interest at 12% per annum with effect from 01.04.2016 within the time stipulated by this Court.

For Petitioners :: Mr.A.Selvaraju

For Respondents :: Mr.P.Kannan Kumar

ORDER

Since the first petitioner's husband died on 24.08.2016 after retiring from service as Selection Grade Senior Conductor in the respondent Corporation on 31.03.2016, the petitioners, who are wife, daughter and sons respectively, have filed this writ petition seeking a direction to the respondents to settle

all the retirement benefits payable to her and as prayed for in the petition, with interest at 12% per annum.

2.Mr.P.Kannan Kumar, learned Standing Counsel appearing for the Transport Corporation submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition also.

3.This Court, recording the statement made by the learned Standing Counsel appearing for the respondent, taking note of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others) directing the respondent to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the entire retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from July, 2017 and each of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioner for such non-payment of the instalments. With this direction, the writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

vga

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem - 636 007.

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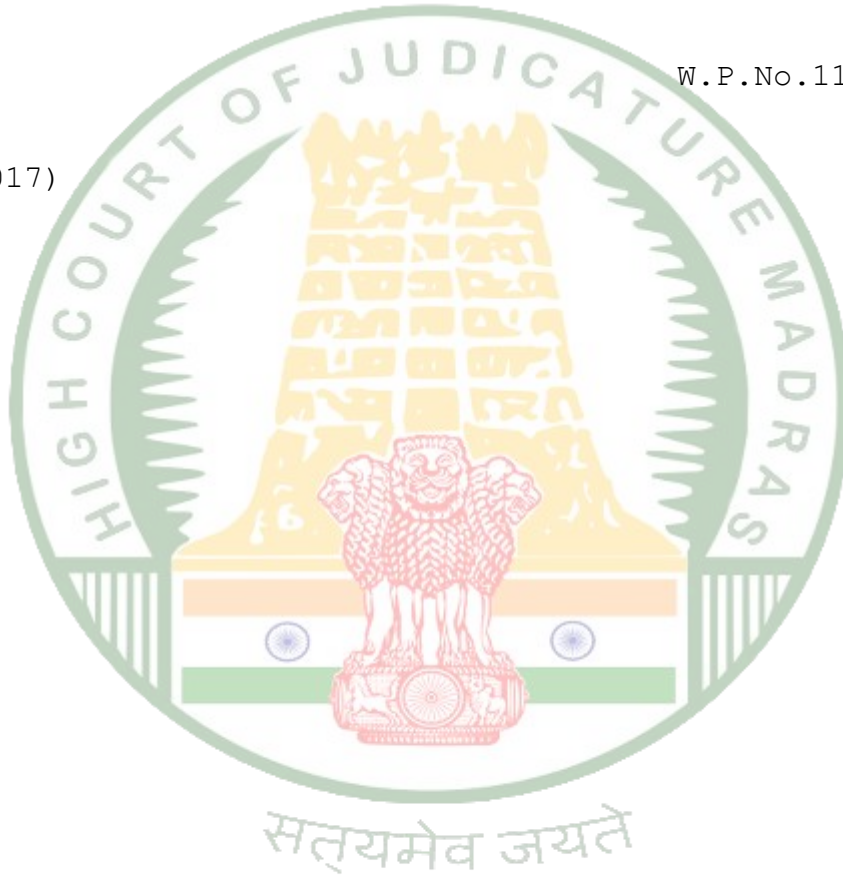
2.The Administrator,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Employees Post Retirement
Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002.

+1cc to Mr.A. Selvaraj, Advocate Sr. 26094

+1cc to Mr.P. Kannan Kumar, Advocate Sr. 26525

W.P.No.11029 of 2017

KS (CO)
VR(24/5/2017)



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