

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.12.2015

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CORAM:

**THE HONOURABLE MR.JUSTICE D.HARI PARANTHAMAN****W.P. (MD) No.21873 of 2015**

C.Subbiah  
(Senior Checking Inspector - Retired)

... Petitioner

Vs.

The Managing Director,  
The Tamil Nadu State Transport  
Corporation (Madurai) Limited,  
Bye-pass Road,  
Madurai 625 016.

... Respondent

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to pay the Leave Salary with 18% interest per annum to the petitioner within a stipulated period.

For Petitioner : Mr.C.Thangamani  
For Respondent : Mr.A.Jeyaraman

**O R D E R**

The petitioner joined as a Conductor in 1974. He retired from service on 30.04.2011 on reaching the age of superannuation. It is stated that all the terminal benefits except the earned leave encashment benefits are settled, according to the petitioner. Hence, he has filed this Writ Petition.

2. Heard both sides.

3. If earned leave encashment benefits is not settled and the earned leave is in the credit of the petitioner, then, I am of the view that the respondent shall settle the earned leave encashment benefits, within a period of twelve weeks from the date of receipt of a copy of this order with 6% interest as per the decision of the First Bench of this Court in W.A(MD)Nos.383 to 457 of 2015, dated 12.06.2015. If the respondent fails to make payment, then, the petitioner is entitled to 18% interest.



This Writ Petition is disposed of with the above direction.  
No Costs.

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Sd/-  
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Managing Director,  
The Tamil Nadu State Transport  
Corporation (Madurai) Limited,  
Bye-pass Road,  
Madurai 625 016.

+1cc to Mr.C.Thangamani, Advocate Sr.No.70265  
pm  
AA/KBM/SAR-II/18.12.2015/2P- 3C/

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**08.12.2015**