



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A.[MD].Nos.1624 to 1627 of 2016
against WP(MD).Nos.1137, 971, 972 & 1127/2013
and
C.M.P(MD)Nos.12306 to 12312 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Bye-pass Road,
Madurai - 625 016. ... Appellant in all writ appeals/Respondent

Vs.

V.Jeyabalan
... Respondent in W.A.(MD)No.1624 of 2016/Petitioner

C.Mathivanan
... Respondent in W.A.(MD)No.1625 of 2016

S.Kingston Kanagaraj
... Respondent in W.A.(MD)No.1626 of 2016

D.Kulandaivelu
... Respondent in W.A.(MD)No.1627 of 2016

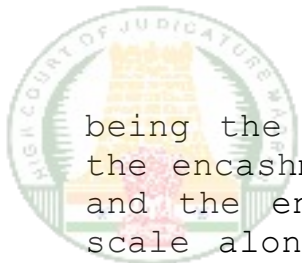
PRAYER in all Writ Appeals : Writ Appeals are filed under Clause 15 of the Letters Patent, to set aside the order dated 27.03.2014 passed in W.P(MD).Nos.1137, 972, 971 and 1127 of 2013 respectively on the file of this Honourable Court.

Prayer in WP(MD). 1137/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, in the nature of writ, directing the respondent to pay a sum of Rs. 59,888/- being the difference amount of encashment of earned leave between the encashment of earned leave paid based on the pre revised scale and encashment of earned leave payable based on the revised scale along with 18% interest to the petitioner and to pass such other or further orders.

Prayer in WP(MD). 972/ 2013 :

<https://hcservices.ecourts.gov.in/hcservices/> Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay a sum of Rs. 1,42,680/-



being the difference amount of encashment of earned leave between the encashment of earned leave paid based on the pre revised scale and the encashment of earned leave payable based on the revised scale along with 18% interest to the petitioner and to pass such other or further orders.

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Prayer in WP(MD). 971/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay a sum of Rs.84,904/- being the difference amount of encashment of earned leave between the encashment of earned leave paid based on the pre-revised scale and the encashment of earned leave payable based on the revised scale along with 18% interest to the petitioner.

Prayer in WP(MD). 1127/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay a sum of Rs. 57,473/- being the difference amount of encashment of earned leave between the encashment of earned leave paid based on the pre revised scale and encashment of earned leave payable based on the revised scale along with 18% interest to the petitioner and to pass such further or other orders.

For Appellant	: Mr.A.Jeyaram In all Writ Appeals
For Respondents	: Mr.C.Thangamani In all Writ Appeals

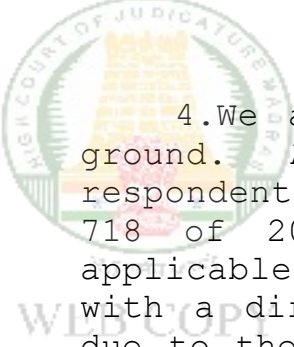
JUDGMENT

[Judgment of the Court was delivered by G.R.SWAMINATHAN, J.]

The Tamil Nadu Transport Corporation Limited, Madurai is on appeal, questioning the common order dated 27.03.2014 made in W.P. (MD)No. 971 of 2013 etc., batch.

2.The respondents herein are the writ petitioners. The writ petitioners sought a direction for payment of a certain sum being a difference amount of enhancement of earned leave as per the pre revised and revised scale of pay. They also sought interest. The learned Judge allowed the writ petitions. Aggrieved by the same, the corporation is on appeal.

3.The learned counsel for the respondents pointed out that similar writ appeals were disposed of with a direction to pay difference amount with interest at 6% per annum. The only ground pleaded by the learned counsel for the appellant is that the corporation suffered financial difficulties.



4. We are of the view that this cannot be legally acceptable ground. As rightly pointed out by the learned counsel for the respondents, the order dated 15.06.2017 made in W.P.(MD)Nos.716, 718 of 2017 passed by the Division Bench of this Court is applicable in the present case also. we dismiss the writ appeals with a direction to the appellant corporation to pay the amount due to the respondents herein with interest at 6 % per annum from the date of entitlement till the date of payment. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

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

+4ccs to M/S.C.Thangamani, Advocate SR.No. 76211 to 76214

W.A.[MD].Nos.1624 to 1627 of 2016
against WP(MD).Nos.1137, 971, 972 & 1127/2013
and
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mm/gsp

JM/SV MMS/SAR 2/06.11.2017/3P/6C