



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.11466 of 2017

R.Tamilarasan

.. Petitioner

Vs.

1. Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakkonam Region,
Kumbakonam.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the petitioner's earned leave salary of Rs.42,207/- for 45 days from 2009-2012 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman,
Standing Counsel for TNSTC

O R D E R

This writ petition has been filed, seeking a direction to the respondents to settle the petitioner's earned leave salary of Rs.42,207/- for 45 days from 2009-2012 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

2.This Court in a similar case in **W.P. (MD) No.17789 of 2016** in the case of **R.Arumugam v. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., and another** by order **dated 06.10.2016** has passed the following direction:

"6. Therefore, the respondents are directed to consider the claim of the petitioner for payment of the earned leave surrender salary in respect of the years 2010-2014 and pay



the eligible amount to the petitioner as per the commitment made by the respondent under Section 12(3) settlement within a period of eight weeks from the date of receipt of a copy of this order."

3. Having regard to the fact that the present case is similar to the case in which this Court has earlier passed orders in W.P.(MD) No.17789 of 2016, dated 06.10.2016, and the learned counsel on both sides submitted that a similar order also can be passed in the present writ petition, this Court pass the following directions:

The respondents are directed to consider the claim of the petitioner for payment of the earned leave surrender salary in respect of the years 2009-2012 and pay the eligible amount to the petitioner as per the commitment made by the respondents as per settlement under Section 12(3) of Industrial Disputes Act within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 61388
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 61368

SJ
TE/JC/SAR-I : 06/07/2017 : 2P/5C

ORDER MADE IN
W.P. (MD) .No.11466 of 2017
21.06.2017