

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

DATED : 23.06.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) .No.11651 of 2017**

M. Mohan

...Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
rep. by its Managing Director,
Kumbakonam.

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

..Respondents

PRAYER: Writ petition is 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.36,804/- for 41 days from 2009-2013 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 TNSSTC.

O R D E R

This Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's earned leave salary of Rs.36,804/- for 41 days from 2009-2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

2. Mr.D.Sivaraman, learned standing counsel for TNSSTC takes notice for the respondents.

3. By consent the Writ Petition itself is taken up for final



4. The learned counsel appearing for the petitioner submits that, in a similar case, this Court has disposed of the Writ Petition with a direction to the respondents to consider the claim of the petitioner for payment of Earned Leave salary, in respect of the years 2010 - 2014 and pay the eligible amount to the petitioner, as per the commitment made by the respondents under Section 12 (3) settlement, within a period of eight weeks from the date of receipt of a copy of this order.

5. The learned counsel appearing for the respondents submitted that the facts of the present case is similar to the case decided in the earlier in W.P(MD).No.17789 of 2016 in the case of R.Arungam Vs. The Tamil Nadu State Transport Corporation (Kumbakonam) Limited and others, by order dated 06.10.2016.

6. Considering the submissions of the learned counsel for both sides, this Court is also inclined to dispose of the Writ Petition in the similar line, as it was decided in the case referred to above.

7. Accordingly, the respondents are directed to consider the claim of the petitioner for payment of Earned Leave salary, Surrender Salary in respect of years 2009-2013, in terms of the settlement under Section 12(3), within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

+1cc to M/S. A.Rahul, Advocate, SR.No.61793.

+1cc to M/S. D.Sivaraman, Advocate, SR.No.61743.

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