

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No. 260 of 2018

and

W.M.P.No.319 of 2018

S.Venkatesan

... Petitioner

Vs.

1.The Chairman and Secretary to Government,
Transport Department,
Fort St. George, Chennai 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Road,
Salem 636 007.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to to issue a Writ of Mandamus, to direct the respondents to pay the difference amount of encashment of earned leave, arrears in gratuity and payment of unearned leave on private affairs amount with interest at 24% p.a. to the petitioner within a fixed time frame.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.R.S.Selvam (for R1)
Government Advocate

Mr.A.Antony Arockia Raja (for R2)
Standing Counsel

ORDER

This writ petition has been filed by a retired Superintendent from the Transport Corporation, who retired on 31.07.2013, seeking a writ of mandamus directing the respondents to pay his part of retirement benefits viz., the difference amount of encashment of earned leave, arrears in gratuity and payment of unearned leave on private affairs amount with interest at 24% p.a. to the petitioner within a time fixed by this Court.

2.Mr.R.S.Selvam, learned Government Advocate, takes notice for the first respondent and Mr.A.Antony Arockia Raja, learned standing counsel, takes notice for the second respondent.

3.As the petitioner is a retired Superintendent permitted to retire with effect from 31.07.2013 by the second respondent, he has got a grievant that the respondents, till date, have not paid the following retirement benefits:

A.Arrears in relation to the encashment of earned leave	:Rs.40,000/-
B.Gratuity Arrears	:Rs.60,000/-
C.Unearned leave on private affairs amount	<u>:Rs.1,04,568/-</u>
Total	<u>:Rs.2,04,568/-</u>

In this regard, the petitioner has given a detailed representation dated 20.12.2017, but till date, the said representation has not been considered by the respondents. Therefore, the petitioner has come before this Court.

4.The learned counsel appearing for the respondents sought for four weeks time to consider the petitioner's representation.

5.Accordingly, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 20.12.2017, within a period of 4 weeks' from the date of receipt of copy of this order.

6.With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

jrl/sai

To

1.The Chairman and Secretary to Government,
Transport Department,
Fort St. George, Chennai 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Road,
Salem 636 007.

+1 cc to the Government Pleader, High Court, Chennai SR.NO. 1877

+1 cc to Mr.M.Selvam, Advocate SR.NO. 1904

W.P.No. 260 of 2018

SSD(CO)

JK 19/02/18

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