



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)Nos.3356 and 3357 of 2018

V.Subramanian ... Petitioner in WP(MD)No.3356 of 2018

S.Parivallal ... Petitioner in WP(MD)No.3357 of 2018

Vs.

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Transport Department and Chairman
of Board of Directors of State
Transport Undertakings,
Fort St.George, Chennai - 9.

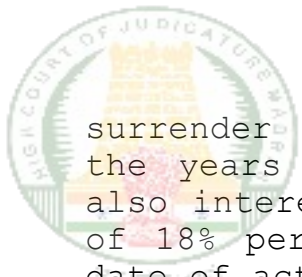
2.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
27, New Railway Station Road,
Kumbakonam-612 001.

3.The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited, Kumbakonam Region,
Kumbakonam - 612 001.

4.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavansalai,
Chennai - 600 002. ... Respondents in both Writ Petitions

Prayer in WP(MD)No.3356 of 2018 : This 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 surrender leave salary of Rs.78,560/- for 60 days in respect of the years 2010-2011, 2011-2012, 2012-2013, 2013-14 and also interest of delayed payment together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

Prayer in WP(MD)No.3357 of 2018 : This 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



surrender leave salary of Rs.1,10,220/- for 75 days in respect of the years 2010-2011, 2011-2012, 2012-2013, 2013-14, 2014-2015 and also interest of delayed payment together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

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For Petitioner : Mr.S.Royce Immanuel
in both Writ Petitions

For Respondents : Mr.J.Gunaseelan Muthaiah,
Addl., Govt.Pleader for R1
Mr.D.Sivaraman for R2 & R3 (in both Wps.)
Mr.A.P.Muthupandian for R4 (in both Wps.)

COMMON ORDER

The petitioners in these writ petitions are retired employees of Tamil Nadu State Transport Corporation (Kumbakonam) Ltd. They seek settlement of their surrender leave salary benefits. According to them, they are entitled to get surrender leave salary.

2.The stand of the respondents is that no application was made during the relevant time. However, in the year 2017, the corporation issued circular dated 09.01.2017.

3.The learned counsel appearing for the petitioners placed reliance on the circular dated 09.01.2017 issued by the respondent corporation.

4.Therefore, this Court permits the writ petitioners to submit formal application in the light of the above said circular dated 09.01.2017, within two weeks from the date of receipt of a copy of this order. The respondent corporation is directed to disburse the benefits and interest payable to the petitioners within one month thereafter.

5.These writ petitions are allowed on the above terms. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Secretary to Government,
Transport Department and Chairman
of Board of Directors of State
Transport Undertakings,
Fort St.George, Chennai - 9.



+2cc to M/S.S.Royce Immanuel, Advocate SR.No. 58754, 58753
+2cc to M/S.D.Sivaraman, Advocate SR.No. 59145, 59146
+1cc to Special Government Pleader, SR.No. 59267

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28.03.2018

skm

JM/PN/SAR 3/26.07.2018/3P/7C