



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 29.08.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.18734 of 2018

N.Tamilarasan

..Petitioner

Vs

The Tamil Nadu State Transport Corporation
(Kumbakonam)Limited,
represented by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to settle the Petitioner's retirement benefits of Earned Leave wages payable to him with reasonable rate of interest within the time stipulated by this Court.

For Petitioner : Mr.G.M.Xavier
For Respondent : Mr.D.Sivaraman

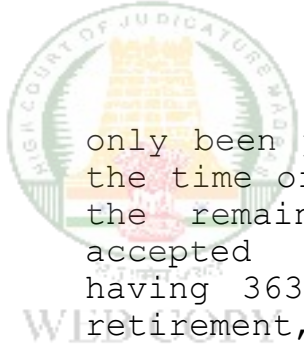
ORDER

The Petitioner has come forward with this Writ Petition seeking to issue a Writ of Mandamus directing the respondent to settle the Petitioner's retirement benefits of Earned Leave wages payable to him with reasonable rate of interest within the time stipulated by this Court.

2.Mr.D.Sivaraman, learned counsel takes notice for the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.When the matter is taken up for hearing, the learned counsel for the respondent would submit that the Petitioner has already moved a Contempt Petition and the entire terminal benefits including gratuity and leave salary has been paid to the Petitioner in four installments and the last payment was made on 12.1.2018.

<https://hcservices.courts.gov.in/hcservices/>
4.The learned counsel for the Petitioner has submitted before this Court that leave salary for 240 days of Earned leave has



only been paid and he has 363 days of Earned Leave on credit at the time of his retirement and he has to be paid leave salary for the remaining 123 days of Earned Leave. Such contention cannot be accepted in view of the fact that though the Petitioner was having 363 days of Earned Leave in his credit at the time of retirement, the upper limit for disbursement of leave salary is only 240 days at the time of retirement and the said amount has also been paid to the Petitioner.

5. In view of the above, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar (CS-IV)

+1 CC To MR.D.SIVARAMAN, Advocate SR. NO.81121

+1 CC To MR.G.M.XAVIER, Advocate SR. NO. 81379

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VSN

TR/RP/SAR-IV(27.10.2018)2P 3C