



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2018

CORAM:

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

W.P. (MD) No. 18816 of 2018

WEB COPY

1. P. Durairaju
2. P. L. Muthuraja
3. K. S. Rajagopalan
4. S. Balakrishnan
5. P. Singaram
6. M. Sathiyadoss
7. R. Punniyamoorthy
8. V. Thirugnanasambanatham
9. K. Narayanasamy
10. N. Balakrishnan
11. R. Rajendran
12. P. Muthusamy
13. M. Ramasamy
14. M. Moorthy
15. M. Ramalingam

... Petitioners

Vs.

1. The Government of Tamil Nadu,
Represented by its
Additional Chief Secretary to Government
Transport Department, Secretariat,
Chennai-600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Railway Station Road,
Kumbakonam, Thanjavur District.

3. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Periyamilaguparai,
Trichy.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the petitioners benefit of enhancement of Earned Leave surrendered by them before the third respondent from the year 2010 to till the date of retirement of the petitioners with interest at 6% as per the 1998 Wage Settlement Effect under Section 12(3) of ID Act, 1947.



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For Petitioners : Mr.N.Sudhagar Nagaraj

For R1 : Mr.R.Sethuraman
Special Government Pleader

For R2 to R3 : Mr.D.Sivaraman

O R D E R

This Writ Petition has been filed to direct the respondents to settle the petitioners benefit of enhancement of Earned Leave surrendered by them before the third respondent from the year 2010 to till the date of retirement of the petitioners with interest at 6% as per the 1998 Wage Settlement Effect under Section 12(3) of ID Act, 1947.

2.Mr.R.Sethuraman, learned Special Government Pleader takes notice for the first respondent and Mr.D.Sivaraman, learned counsel takes notice for the second and third respondents. By consent, this Writ Petition is taken up for final hearing at stage of admission itself.

3.Since it appears that there is no dispute that the petitioners may be entitled for enhancement of earned leave surrendered by them from the year of 2010 till the date of their retirement, the respondents need to settle the revised amount as per Section 12(3) of ID Act, 1947, if there are no legal impediments.

4.In view of the above, the respondents are directed to consider the request of the petitioners and sanction the enhancement/differentiate amount to the petitioners, if eligible, within one month from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS-II)

To

1.The Additional Chief Secretary to Government
Transport Department, Secretariat,
Chennai-600 009.



2.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam)Ltd.,
Railway Station Road,
Kumbakonam, Thanjavur District.

3.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Periyamilaguparai,
Trichy.

+1 CC To MR.N.SUDHAGAR NAGARAJ, Advocate SR. NO.81014
+1 CC To MR.D.SIVARAMAN, Advocate SR. NO. 81120
+1 CC TO The Special Government Pleader SR.NO. 81286

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GNS

TR/SKN-RSK/SAR-II (02.11.2018) 3P 7C