

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 30833 & 30834 of 2019

S.Jeyakrishnan ...Petitioner in W.P.No.30833 of 2019

K.Sivaraj ...Petitioner in W.P.No.30834 of 2019

vs

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd,
Coimbatore Region,
Rep by its Managing Director,
Coimbatore. Respondent in both Wps

Prayer in W.P.No.30833 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct respondent to pay the petitioner the amount payable towards the encashment of 45 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18% interest from the date of his retirement.

Prayer in W.P.No.30834 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct respondent to pay the petitioner the amount payable towards the encashment of 60 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18% interest from the date of his retirement.

For Petitioner : Mr.V.Ajoy Khosh
(in both Wps)

For Respondent : Mr.P.Kannankumar
(in both Wps)

C O M M O N O R D E R

Since the prayer in the above Writ Petitions are one and the same, they are clubbed together and a common order is passed.

2. The petitioners joined the service of the respondent Corporation as Driver and Assistant Tradesman in the years 1990 and 1978 respectively. The petitioners have retired from their service on 28.02.2018 and 31.10.2013. However, the amount payable towards the encashment of earned leaves were not paid to the petitioners. Therefore, the petitioners made representations to the respondent on 07.08.2019 and 14.08.2019 respectively. However, the said representations were not considered by the respondent. As against the inaction, the Writ Petitions have been filed.

3. The learned counsel appearing for the petitioners would submit that it would be suffice to issue direction to the respondent to dispose of the representations dated 07.08.2019 and 14.08.2019 in accordance with law.

4. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondent to dispose of the representations dated 07.08.2019 and 14.08.2019, if not disposed already within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

kan

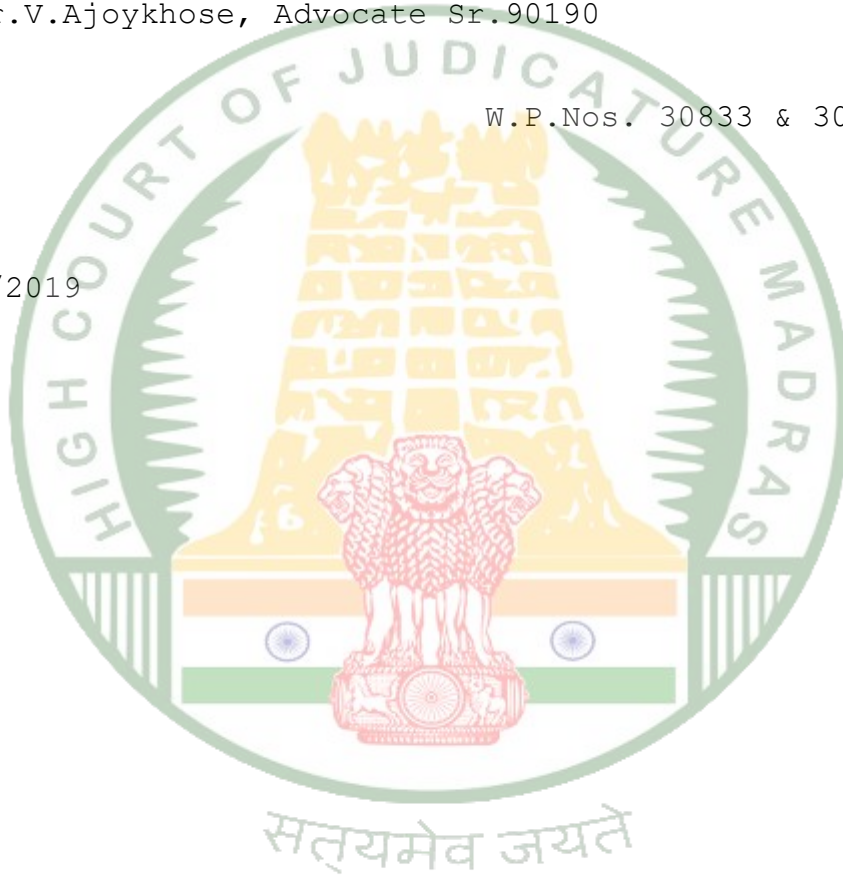
To

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd,
Coimbatore Region,
Rep by its Managing Director,
Coimbatore.

+1cc to Mr.V.Ajoykhose, Advocate Sr.90190

W.P.Nos. 30833 & 30834 of 2019

BS (CO)
srg 25/11/2019



WEB COPY