

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :16.12.2019
CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.34441 of 2019

V.Balaji

...Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its
Secretary to Government,
Transport Department,
Secretariat, Chennai 600 009.
 2. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd,m
Salem Division, No.12, Ramakrishna Road,
Post Box No.713,
Salem 636 007.
 3. The General Manager,
Tamil Nadu State Transport Corporation(Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007
- ...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to settle the petitioner's benefit of enhancement of Earned leave surrendered by him before the 3rd respondent from the year 2010 to 31.05.2018 the date of retirement of the petitioner with interest at 18% as per the 1998 wage settlement effect under Section 12(3) of ID Act, 1947.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents: Mr.P.S.Sivashanmuga Sundaram
Special Government Pleader
for R1
Mr.D.Raghu
Standing counsel for R2 & R3.

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to settle the benefit of

enhancement of earned leave surrendered by the petitioner from 2010 to 2018 with interest.

2. The case of the petitioner is that he joined the respondent corporation in the year 1980 and he retired from service in the year 2018. At the time of retirement, the petitioner was working as a Traffic Manager in the respondent Corporation. The grievance of the petitioner is that he was not settled with the Earned Leave for the period from 2010 to 2018 (30 days). The petitioner has made a representation to the respondent on 02.12.2019 seeking for the settlement of the Earned Leave Salary with interest. Since the same has not been considered, the present writ petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 02.12.2019 and pass appropriate orders in accordance with the earlier judgments of this Court, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with the copy of the earlier representation dated 01.12.2019 and a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

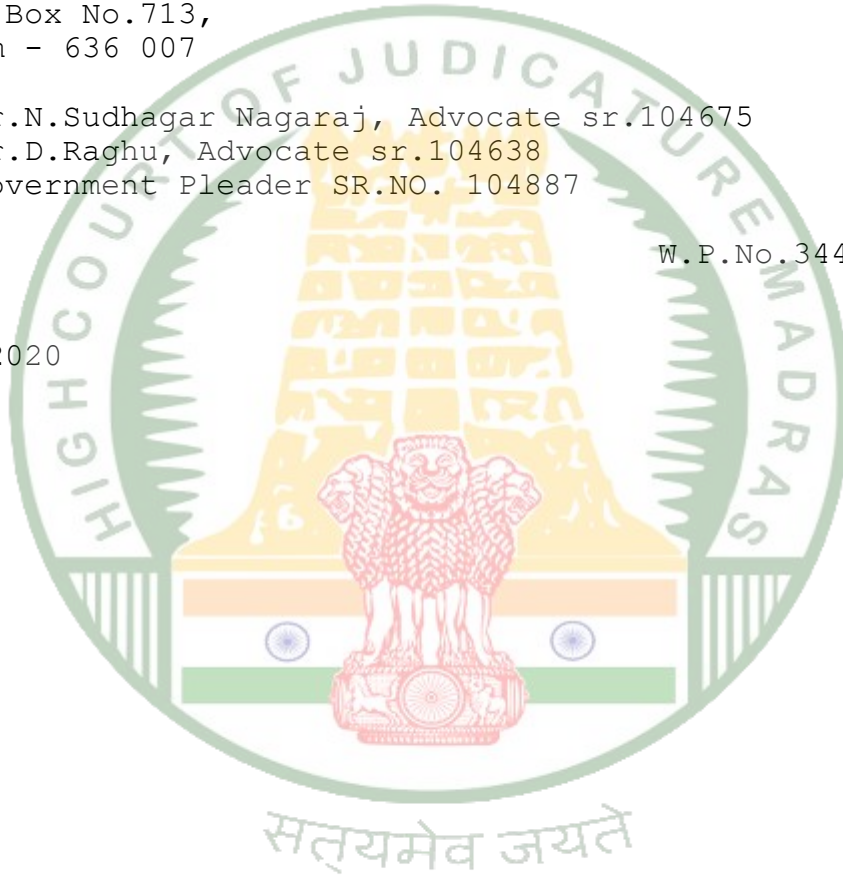
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+1cc to Mr.N.Sudhagar Nagaraj, Advocate sr.104675
+1cc to Mr.D.Raghu, Advocate sr.104638
+1cc to Government Pleader SR.NO. 104887

W.P.No.34441 of 2019

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nr 14/02/2020



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