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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.3778 of 2019

G.Paulraj

... Petitioner

Vs.

1.The Tamil Nadu Transport Corporation Limited,
represented by its Managing Director,
Madurai Division, By-Pass Road,
Madurai - 625 016.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Madurai Division,
Virudhunagar Region,
Virudhunagar District - 626 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to pay the service surrender leave salary of Rs.1,71,457/- payable to the petitioner for the period from 2009 to 2016 together with 18% interest from the date of petitioner's retirement ie., 30.04.2017 to till the date of payment and all other attendant benefits to to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.A.Jeyaraman

ORDER

Seeking for a direction to the respondents to pay the surrender leave salary of Rs.1,71,457/- to the petitioner for the period from 2009 to 2016 with interest from the date of his retirement and all other attendant benefits to him, the present writ petition came to be filed.

2.Heard the learned Counsel appearing on both sides and perused the materials available on record.

<https://hcservices.ecourts.gov.in/hcservices/>

3.It is the case of the petitioner that he was working as an Assistant Manager in the respondent Corporation and retired on



30.04.2017. Even after his retirement, the surrender leave salary has not been disbursed to him. In this regard, he sent a representation on 15.08.2018 to the respondents. Since the respondents have not considered the said representation, he approached this Court with the above prayer.

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4.The learned Counsel for the petitioner relying upon the order of this Court, dated 14.06.2018, made in W.P.(MD)No.12720 of 2018, submitted that the issue involved in this case has been squarely covered in the above said case. The relevant paragraphs read as follows:

"2.The petitioner was employed as Superintendent in the respondent corporation. He has retired from service on 30.04.2013 and his service surrender leave salary is yet to be disbursed.

3.The petitioner retired from service as early as on 30.04.2013. Therefore, the respondent is directed to disburse the said amount, within a period of eight weeks from the date of receipt of a copy of this order."

5.The learned Counsel for the petitioner submitted that similar direction may also be issued in this case also. The learned Standing Counsel for the respondents has no serious objection for granting such relief to the petitioner.

6.In the light of the decision cited supra and also considering the submissions made by the learned Counsel on either side, this Court directs the respondents to disburse the surrender leave salary for the period from 2009 to 2016 to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Managing Director,
The Tamil Nadu Transport Corporation Limited,
Madurai Division, By-Pass Road,
Madurai - 625 016.



2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Madurai Division,
Virudhunagar Region,
Virudhunagar District - 626 001.

+1 CC to M/s.A.K.THANGAVELU, Advocate in SR-56177

W.P. (MD) No.3778 of 2019
21.03.2019

cmr

TK/16.05.2019 : 3P/4C