



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

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W.P(MD) Nos.5706 to 5708 of 2019

V.Soman	... Petitioner in W.P.(MD)No.5706 of 2019
M.Sukumar	... Petitioner in W.P.(MD)No.5707 of 2019
K.Manohar	... Petitioner in W.P.(MD)No.5708 of 2019

vs

The Managing Director,
The Tamil Nadu State Transport
Corporation(Kumbakonam) Limited,
New railway station road,
Kumbakonam - 612 001.

... Respondent

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pay the difference amount of encashment of earned leave with 18% interest based on the revised scale of pay as per the 6th Pay Commission report.

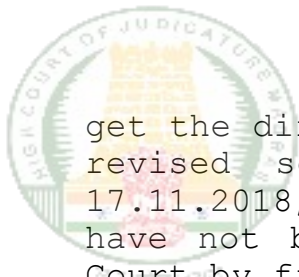
For Petitioner	
in all the petitions	: Mr.C.Thangamani
For Respondent	
in all the petitions	: Mr.D.Sivaraman
	Standing Counsel

COMMON ORDER

These Writ Petitions are filed seeking a direction to the respondent to pay the difference amount of encashment of earned leave with 18% interest based on the revised scale of pay as per the 6th Pay Commission report.

2. Heard the learned Counsel appearing for the petitioners and the learned Standing Counsel, who takes notice for the respondent. By consent, these Writ Petitions are taken up for final disposal at the stage of admission itself.

3. The case of the petitioners is that they were working in the respondent Transport Corporation and they retired from service on attaining the age of superannuation. After retirement, their pay was revised as per the 6th Pay Commission Report retrospectively with effect from 01.01.2006. Therefore, the petitioners are entitled to



get the difference amount of encashment of earned leave based on the revised scale of pay. Hence, they made representations on 17.11.2018, 22.11.2018 and 19.11.2018 respectively. Since the same have not been considered so far, the petitioners are before this Court by filing these writ petitions.

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4. The learned Counsel appearing for the petitioner submitted that a similar issue has already been considered by a Division Bench of this Court in W.A.(MD)Nos.716 and 718 of 2017, dated 15.06.2017 and hence, he prays for appropriate orders.

5. The learned Standing Counsel appearing for the respondent would submit that the representations of the petitioners would be considered on merits and within a time frame as fixed by this Court.

6. Considering the nature of prayer as sought for by the petitioners, without going into the merits of the petitioners' case, the respondent is directed to consider the representations of the petitioners dated 17.11.2018, 22.11.2018 and 19.11.2018 respectively and pass appropriate orders on merits and in accordance with law and also in the light of the judgment passed by the Division Bench of this Court in W.A.(MD)Nos.716 and 718 of 2017, dated 15.06.2017, after affording an opportunity of hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

7. The Writ Petitions are disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

The Managing Director,
The Tamil Nadu State Transport Corporation(Kumbakonam) Limited,
New railway station road, Kumbakonam - 612 001.

3CC'S TO MR. C. THANGAMANI, ADVOCAT SR 53314 53315 53316

1CC TO MR.D. SIVARAMAN,ADVOCATE SR 53341

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