

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.02.2019****CORAM****THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P(MD)No.10212 of 2018**

A.Sellam

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Transport Department and Chairman of Board of
Directors of State Transport Undertakings,
Fort St. George, Chennai - 9.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai Limited) Regional Office,
Highways Road, Madurai - 625 010.

3.The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai Limited) Regional Office,
Highways Road,
Madurai - 625 010.

... Respondents

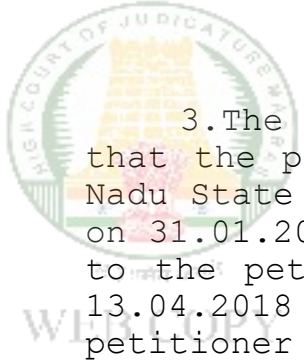
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to settle the petitioner's leave salary of Rs.70,000/- and DA arrears also interest at the rate of 6% per annum for retirement benefits to the petitioner.

For Petitioner	:	Mr.S.Royce Immanuel
For R - 1	:	Mrs.J.Padmavathy Devi, Special Government Pleader.
For RR 2 & 3	:	Mr.A.P.Muthupandian

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to settle the petitioner's leave salary and DA arrears with interest.

2.Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3.



3.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Senior Assistant in the Tamil Nadu State Transport Corporation (Madurai) and relieved from service on 31.01.2015. Since leave salary and DA arrears have not been paid to the petitioner, he sent a representation to the respondents on 13.04.2018 and the same has not been considered so far. Hence, the petitioner has filed the present Writ Petition.

4.The learned counsel appearing for the respondents 2 and 3 submitted that the prayer of the petitioner would be considered on merits.

5.In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the claim of the petitioner seeking for arrears of leave salary and DA and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

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Transport Department and Chairman of Board of
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2.The Managing Director,
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RR/03.05.2019/2P/4C