



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.10477 of 2017

WEB COPY

G.Swaminathan

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to extend the benefit of encashment of unearned leave on private affairs for the period of 90 days to the petitioner and to pay monetary benefits to him accrued thereon together with interest at the rate of 18% per annum payable from the date of retirement of the petitioner to till the date on which the above monetary benefits are settled within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman

ORDER

The writ petition has been filed seeking to direct the respondents to pay monetary benefits by extending the benefit of encashment of unearned leave on private affairs for the period of 90 days to the petitioner with interest, in line with G.O.Ms.No.488 Finance (Pension) Department dated 12.08.1996.

2.The learned counsel appearing for the respondents submitted that the issue involved in the writ petition has already been settled by a Division Bench of this Court, in WA(MD)Nos.939 to 944 of 2017, etc., by judgment dated 27.03.2018, whereby the claim of the petitioner therein was rejected and the writ petition thereon was dismissed. Hence, he prayed for dismissal of the writ petition also.



3. The learned counsel appearing for the writ petitioner has no serious objection to the above submission.

4. Under such circumstances, in the light of the judgment of this Court cited supra, the writ petition is liable to be dismissed. Accordingly, the Writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

/ True Copy /

Sub Assistant Registrar (CS)

ps
To

1. The Managing Director,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-55022[F] dated 19/03/2019)

WP (MD) No.10477 of 2017
19.03.2019

ES/KK/02.05.2019/2P/4C