



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD)Nos.793 to 810, 812 to 817, 820 to 825, 828, 830 to 837 of 2019

and

C.M.P. (MD)Nos.7057, 7058, 7060, 7109 to 7111, 7065, 7067, 7069, 7070, 7072, 7074 to 7078, 7081, 7082, 7089, 7090, 7092, 7094, 7096, 7097, 7098, 7100, 7102, 7104, 7106, 7108, 7112, 7114, 7115, 7116, 7117, 7119, 7120, 7122 and 7123 of 2019

W.A. (MD)No.793 of 2019:-

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

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

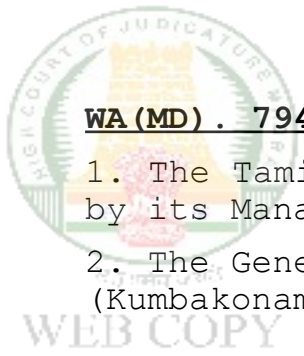
Vs.

C.Parameswaran ..Respondent/Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, to allow the writ appeal and to set aside the order passed in writ petition in W.P.(MD)No.18191 of 2018 dated 17.09.2018.

Prayer in WP(MD). 18191/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle the petitioners Surrender leave salary of Rs.1,00,588 from 2010 - 2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment



WA (MD) . 794/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.
2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Karaikudi Region, Karaikudi.

...Appellants/Respondents

Vs. -

K.Shanmugam

... Respondent/Petitioner

Prayer in WA(MD). 794/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.19050 of 2018.

Prayer in WP(MD). 19050/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref. No. TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle the petitioners Surrender Leave Salary of Rs.76,362/- for 56 days from the year 2011-2017 together with interest at the rate of 18% oer annum payable from the date of retirements to till the date of actual payment.

WA (MD) . 795/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.
2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Karaikudi Region, Karaikudi.

...Appellants/Respondents

- Vs. -

R.Rajendran

.. Respondent/Petitioner

Prayer in WA(MD). 795/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.19051 of 2018.

Prayer in WP(MD). 19051/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of



Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref. No. TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle the petitioners Surrender Leave Salary of Rs.1,13,169/- for 77 days from the year 2011-2017 together with interest at the reate of 18% per annum payable from the date of retirements to till the date of actual payment.

WA (MD) . 796/ 2019

1. The Management Tamil Nadu State Transport Corporation,
Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam

2. The General Manager Tamil Nadu State Transport Corporation,
Kumbakonam, Ltd., Kumbakonam Region, Karaikudi

... Appellants/Respondents

- Vs. -

N.Rengaraj

...Respondent/Petitioner

Prayer in WA (MD) . 796/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this this Memorandum of Grounds of Writ Appeal against the order dated 25.10.2018 in WP.No.21778 of 2018

Prayer in WP (MD) . 21778/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioners surrender leave salary for 46 days from 2011 - 2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 797/ 2019 :

1. The Management Tamil Nadu State Transport Corporation,
Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam

2. The General Manager Tamil Nadu State Transport Corporation,
Kumbakonam, Ltd., Kumbakonam Region, Karaikudi

...Appellants/Respondents

- Vs. -

S.Vedhamanickam

... Respondent/Petitioner

Prayer in WA (MD) . 797/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter
<https://hcservices.ecourts.gov.in/hcservices/>



Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.19053 of 2018

Prayer in WP(MD). 19053/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref. No. TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle the petitioners Surrender Leave Salary of Rs.1,07,723/- for 82.5 days from the year 2011-2016 together with interest at the reate of 18% per annum payable from the date of retirements to till the date of actual payment.

WA(MD) . 798/ 2019

1. The Management Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam

2. The General Manager Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Kumbakonam Region, Karaikudi

...Appellants/Respondents

- Vs. -

M.Periyannan

... Respondent/Petitioner

Prayer in WA(MD). 798/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.19052 of 2018

Prayer in WP(MD). 19052/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref. No. TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle the petitioners Surrender Leave Salary of Rs.1,16,153/- for 70.5 days from the year 2011-2017 together with interest at the reate of 18% per annum payable from the date of retirements to till the date of actual payment.

WA(MD) . 799/ 2019

1. The Managing Director, Tnstc(Kumbakonam)ltd.,, 27, New Railway Station Road, Kumbakonam-612 001.



2. The General Manager, the Tnstc(Kumbakonam)ltd.,, Kumbakonam Region, Kumbakonam-612 001. ...Appellants/Respondents

- Vs. -

1.Thiru K.Ramsekar, ... Respondent No .1/Petitioner

2. The Secretary to Govt.,Transport Department and Clairman of Board of Directors of State Transport Undertakings, Fort St.George, Chennai-9.

3. The Administrator,Tnstc Employees Pension Fund Trust,, Thiruvalluvar Illam, Pallavan Salai, Chennai-600002

...Respondents 2&3/Respondent 1 &4

Prayer in WA(MD). 799/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 03.10.2018 in W.P.(MD)No.1997 of 2018.

Prayer in WP(MD). 1997/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioner s earned leave Salary of Rs.1,07,610/- for 75 days in respect of the years 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, and also interest of delayed payment of Provident fund Rs.34,330/- from 01.07.2015 to 15.03.2016 resulting a total sum of Rs.1,41,940/- together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment

WA(MD). 800/ 2019

1. The Managing Director,Tnstc(Kumbakona)ltd.,, 27, New Railway Station Road, Kumbakonam-612 001.

2. The General Manager, the Tnstc(Kumbakonam)ltd.,, Kumbakonam Region, Kumbakonam-612 001.

....Appellants /Respondents 2 and 3

- Vs. -

1. M.Sekar, ... Respondent No .1/Petitioner

2. The Secretary to Govt.,Transport Department and Clairman of Board of Directors of State Transport Undertakings, Fort St.George, Chennai-9.

3.The Administrator,Tnstc Employees Pension Fund Trust,, Thiruvalluvar Illam, Pallavan Salai,

Chennai-600 002. ...Respondents 2&3/Respondent 1 &4



Prayer in WA(MD). 800/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 03.10.2018 in W.P.(MD)No.1998 of 2018.

Prayer in WP(MD). 1998/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioners earned leave Salary of Rs.1,10,692/- for 75 days in respect of the years 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015 and also interest of delayed payment of Provident fund Rs.35,676/- from 01.07.2015 to 15.03.2016 resulting a total sum of Rs. 1,46,368/- together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 801/ 2019

1. The Managing Director, Tnpsc (Kumbakonam) Ltd.,, 27, New Railway Station Road, Kumbakonam-612 001.

2. The General Manager, the Tnpsc (Kumbakonam) Ltd.,, Kumbakonam Region, Kumbakonam-612 001. ...Appellants/Respondents 2 and 3

Vs. -

1. V.Subramanian, ... Respondent No .1/Petitioner

2. The Secretary to Govt., Transport Department and Chairman of Board of Directors of State Transport Undertakings, Fort St.George, Chennai-9.

3. The Administrator, Tnpsc Employees Pension Fund Trust,, Thiruvalluvar Illam, Pallavan Salai, Chennai-600 002.

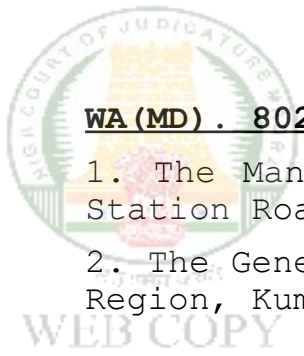
...Respondents 2&3/Respondent 1 &4

Prayer in WA(MD). 801/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 28.03.2018 in W.P.(MD)No.3356 of 2018.

Prayer in WP(MD). 3356/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioners Surrender leave Salary of Rs.78,560/- for 60 days in respect of the years 2010-2011, 2011-2012, 2012-2013, 2013-2014 and also interest of delayed payment together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.



WA (MD) . 802/ 2019

1. The Managing Director,Tnstc(Kumbakona)ltd.,, 27, New Railway Station Road, Kumbakonam-612 001.
2. The General Manager, the Tnstc(Kumbakonam)ltd.,, Kumbakonam Region, Kumbakonam-612 001. ... Appellants/Respondents

- Vs. -

1. S.Parivallal, ... Respondent No .1/Petitioner
2. The Secretary to Govt.,Transport Department and Clairman of Board of Directors of State Transport Undertakings, Fort St.George, Chennai-9.
3. The Administrator,Tnstc Employees Pension Fund Trust,, Thiruvalluvar Illam, Pallavan Salai, Chennai-600 002. ...Respondents 2&3/Respondent 1 &4

Prayer in WA(MD). 802/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Gounds of Writ Appeal against the order dated 28.03.2018 in W.P.(MD)No.3357 of 2018.
Prayer in WP(MD). 3357/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioners earned leave salary of Rs.1,10,220/- for 75 days in respect of the years 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015 and also interest of delayed payment together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment .

WA (MD) . 803/ 2019

1. The Managing Director,Tnstc(Kumbakona)ltd.,, 27, New Railway Station Road, Kumbakonam-612 001.
2. The General Manager, the Tnstc(Kumbakonam)ltd.,, Kumbakonam Region, Kumbakonam-612 001. ...Appellants/Respondent

- Vs. -

V.Rajasekar ... Respondent/Petitioner

Prayer in WA(MD). 803/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Gounds of Writ Appeal against the order dated 17.09.2018 in W.P.(MD)No.8844 of 2018.

Prayer in WP(MD). 8844/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the



impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/17904/2016 Kumbakonam dated 14/02/2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 60 days of Rs.63,000/- from 2010-2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment .

WA (MD) . 804/ 2019

1. The Managing Director,Tnstc(Kumbakona)ltd.,, 27, New Railway Station Road, Kumbakonam-612 001.

2. The General Manager, the Tnstc(Kumbakonam)ltd.,, Kumbakonam Region, Kumbakonam-612 001.

...Appellants/Respondents

- Vs. -

S.Karunanithi,

... Respondent/Petitioner

Prayer in WA(MD) . 804/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Gounds of Writ Appeal against the order dated 17.09.2018 in W.P.(MD)No.8845 of 2018.

Prayer in WP(MD) . 8845/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/1620/2017 Kumbakonam dated 13/02/2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 105 days of Rs.1,56,125/- from 2009-2015 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment

WA (MD) . 805/ 2019

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



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

....Appellants/Respondents

- Vs. -

R.Sethupathi

... Respondent/Petitioner

Prayer in WA(MD). 805/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.8846 of 2018 on the following among other

Prayer in WP(MD). 8846/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref. No. TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle petitioners Surrender leave salary of Rs.1,96,582/- from 2010 to 2016 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 806/ 2019

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

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

...Appellants/Respondents

- Vs. -

G.Dhandapani

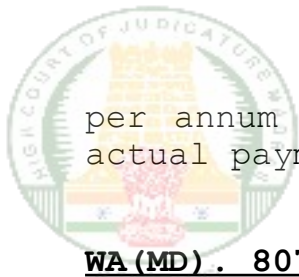
... Respondent/Petitioner

Prayer in WA(MD). 806/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.8847 of 2018 on the following among other

Prayer in WP(MD). 8847/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 1st respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/4838/2017 Kumbakonam dated 26/02/2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 72 days of Rs.82,462/- from 2009-2014 together with interest at the rate of 18%



per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 807/ 2019

1. The Tamil Nadu State Transport Corporation, (Kumbakonam) Ltd, Rep.By its Managing Director, Kumbakonam.
2. The General Manager The Tamil Naud State Transport Corporation (Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

... Appellants/Respondents

- Vs. -

V.Natarajan

... Respondent/Petitioner

Prayer in WA(MD). 807/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.8848 of 2018 on the following among other

Prayer in WP(MD). 8848/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/21163/2016 Kumbakonam dated 14/02/2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/ Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 36 days of Rs.46,800/- from 2011-2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 808/ 2019

1. The Tamil Nadu State Transport Corporation, (Kumbakonam) Ltd, Rep.By its Managing Director, Kumbakonam.
2. The General Manager The Tamil Naud State Transport Corporation (Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

... Appellants/Respondents

- Vs. -

J.Chandramohan

... Respondent/Petitioner

Prayer in WA(MD). 808/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.8849 of 2018 on the following among other



Prayer in WP(MD). 8849/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018 quash the same and consequently directing the respondents to settle petitioners Surrender leave salary of Rs.1,31,005/- from 2012 to 2016 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 809/ 2019

1. The Tamil Nadu State Transport Corporation, (Kumbakonam) Ltd, Rep.By its Managing Director, Kumbakonam.

2. The General Manager The Tamil Naud State Transport Corporation (Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

...Appellants/Respondents

- Vs. -

K.Veerasamy

... Respondent/Petitioner

Prayer in WA(MD). 809/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act,to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.8850 of 2018 on the following among other

Prayer in WP(MD). 8850/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/17903/2016 Kumbakonam dated 14/02/2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 45 days of Rs.49,500/- from 2010-2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 810/ 2019

1. The Tamil Nadu State Transport Corporation, (Kumbakonam) Ltd, Rep.By its Managing Director, Kumbakonam.

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



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

... Appellants/Respondents

- Vs. -

W.P.Gunasekaran

... Respondent/Petitioner

Prayer in WA(MD). 810/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.8851 of 2018 on the following among other

Prayer in WP(MD). 8851/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned circular issued by the 1st respondent in TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary of Rs.1,52,739/- for 90 days for the years from 2011-2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 812/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2. The General Manager The Tamilnadu State Transport Corporation
(Kumbakonam) Ltd, Nagapattinam Region, Nagapattinam.

... Appellants/Respondents

- Vs. -

V.Gunasekaran

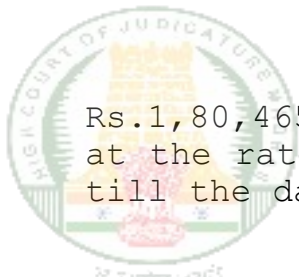
... Respondent/Petitioner

Prayer in WA(MD). 812/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum Grounds of Writ Appeal against the order, dated 17.09.2018 in WP.No.8852 of 2018.

Prayer in WP(MD). 8852/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioners Surrender leave salary of



Rs.1,80,465/- for 105 days from 2010 to 2016 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 813/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Nagapattinam Region, Nagapattinam.

... Appellants/Respondents

- Vs. -

P.Tamilarasan

... Respondent/Petitioner

Prayer in WA(MD). 813/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order , dated 17.09.2018 in WP.No.8853 of 2018.

Prayer in WP(MD). 8853/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary of Rs.1,33,792/- from 2012 to 2016 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 814/ 2019 :

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

... Appellants/Respondents

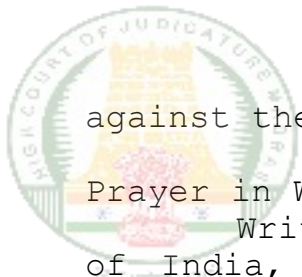
- Vs. -

M.Nagarajan

... Respondent/Petitioner

Prayer in WA(MD). 814/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal



against the order dated 17.09.2018 in WP.No.8854 of 2018.

Prayer in WP(MD). 8854/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/20857/2016 dated 28/02/2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 35 days of Rs.45,220/- from 2010-2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 815/ 2019 :

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

... Appellants/Respondents

Vs. -

R.Duraikannu

... Respondent/Petitioner

Prayer in WA(MD). 815/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.8855 of 2018.

Prayer in WP(MD). 8855/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by 2nd respondent in Ref.No.ThAaPoKa/Kumba/ Sattam/L2/6281/2017 Kumbakonam dated 12.02.2017 and the impugned circular passed by the 1st respondent in proceedings in Ref No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently direct the respondents to settle the petitioner s surrender leave salary for 57 days of Rs.59,620/- from 2010-2015 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 816/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

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



2. The General Manager The Tamilnadu State Transport Corporation
(Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

....Appellants/Respondents

- Vs. -

G.Raghavan

... Respondent/Petitioner

Prayer in WA(MD). 816/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.8857 of 2018.

Prayer in WP(MD). 8857/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary of Rs.1,82,116/- for 105 days from 2011 to 2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 817/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2. The General Manager The Tamilnadu State Transport Corporation
(Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

...Appellants/Respondents

- Vs. -

S.Murugaiyan

... Respondent/Petitioner

Prayer in WA(MD). 817/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.8858 of 2018.

Prayer in WP(MD). 8858/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified mandamus calling of the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018 quash the same and consequently directing the respondents to settle the petitioner



earned leave salary of Rs.1,91,520/- for 90 days for the years from 2011-2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD). 820/ 2019

1. The Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam.
2. The General Manager Tamil Nadu State Transport Corporation Kumbakonam Ltd, Kumbakonam Region.Kumbakonam.

... Appellants/Respondents

- Vs. -

R.Aruldass

... Respondent/Petitioner

Prayer in WA(MD). 820/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Writ Appeal against the order dated 17.9.2018 in W.P.No.8947 of 2018.

Prayer in W P(MD). 8947/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/Sattam/L2/17905/2016 Kumbakonam dated 14.02.2018 and the impugned circular of the 1st respondent in proceedings in ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018 quash the same and consequently direct the respondents to settle his surrender leave salary for 45 days of Rs.52,000/- from 2011-2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD). 821/ 2019

1. The Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam.
2. The General Manager Tamil Nadu State Transport Corporation Kumbakonam Ltd, Kumbakonam Region.Kumbakonam.

....Appellants/Respondents

Vs.

R.Rajachandrasekaran

... Respondent/Petitioner

Prayer in WA(MD). 821/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter



Patent Act, to Prefer this Writ Appeal against the order dated 17.9.2018 in W.P.No.8948 of 2018.

Prayer in WP(MD). 8948/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/ Sattam/L2/21162/2016 Kumbakonam dated 14.02.2018 and the impugned circular of the 1st respondent in proceedings in ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018 quash the same and consequently direct the respondents to settle his surrender leave salary for 45 days of Rs.42,638/- from 2010-2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD) . 822/ 2019

1. The Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam.

2.The General Manager Tamil Nadu State Transport Corporation Kumbakonam Ltd, Kumbakonam Region,

Kumbakonam.

...Appellants/Respondents

- Vs. -

S.Sudaralakshmi

... Respondent/Petitioner

Prayer in WA(MD). 822/ 2019 :

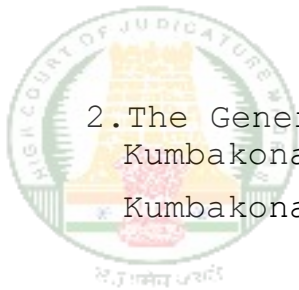
This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Writ Appeal against the order dated 17.9.2018 in W.P.No.8949 of 2018.

Prayer in WP(MD). 8949/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/ Sattam/L2/23678/2017 Kumbakonam dated 09.02.2018 and the impugned circular passed by the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/ Thani/2018 dated 22.03.2018 quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 86 days of Rs.1,03,856/- from 2010-2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD) . 823/ 2019

1. The Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam.



2.The General Manager Tamil Nadu State Transport Corporation
Kumbakonam Ltd, Kumbakonam Region,
Kumbakonam.Appellants/Respondents

- Vs. -

WEB COPY

M.Raju ... Respondent/Petitioner

Prayer in WA(MD). 823/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Writ Appeal against the order dated 17.9.2018 in W.P.No.8950 of 2018.

Prayer in WP(MD). 8950/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Ref.No.ThAaPoKa/Kumba/ Sattam/L2/17902/2016 Kumbakonam dated 14.02.2018 and the impugned circular of the 1st respondent in proceedings in ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018 quash the same and consequently direct the respondents to settle his surrender leave salary for 30 days of Rs.33,840/- from 2011-2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 824/ 2019

1. The Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam.

2.The General Manager Tamil Nadu State Transport Corporation
Kumbakonam Ltd, Kumbakonam Region,.
Kumbakonam.Appellants/Respondents

- Vs. -

K.Saminathan ... Respondent/Petitioner

Prayer in WA(MD). 824/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Writ Appeal against the order dated 17.9.2018 in W.P.No.8951 of 2018.

Prayer in WP(MD). 8951/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 1st respondent in proceedings in ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018 quash the same and consequently direct the respondents to settle his surrender leave salary of Rs.1,42,134/- for 90 days for the years from 2011-17



together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 825/ 2019

1. The Tamil Nadu State Transport Corporation, Kumbakonam, Ltd., Rep by its Managing Director, Kumbakonam.

2.The General Manager Tamil Nadu State Transport Corporation
Kumbakonam Ltd, Kumbakonam Region,
Kumbakonam. ...Appellants/Respondents

- Vs. -

D.Mohan ... Respondent/Petitioner

Prayer in WA(MD). 825/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Writ Appeal against the order dated 17.9.2018 in W.P.No.13427 of 2018.

Prayer in WP(MD). 13427/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle petitioners Surrender leave salary of Rs.1,14,180/- from 2011 to 2016 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA (MD) . 828/ 2019

1. The Tamil Nadu Stte Transport Corporation, (Kumbakonam) Ltd, Rep.By its Managing Director, Kumbakonam.

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

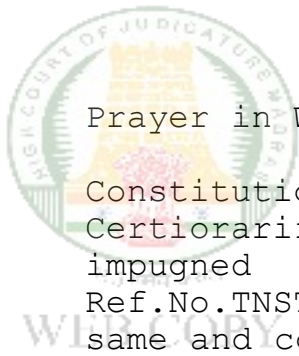
... Appellants/Respondents

-Vs. -

P.Rajendran ... Respondent/Petitioner

Prayer in WA(MD). 828/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.No.13428 of 2018 on the following among other



Prayer in WP(MD). 13428/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle petitioner's Surrender leave salary of Rs.58,230/- from 2010 to 2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment

WA(MD). 830/ 2019

1. The Tamil Nadu State Transport Corporation, (Kumbakonam) Ltd, Rep.By its Managing Director, Kumbakonam.

2. The General Manager The Tamil Naud State Transport Corporation (Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.

... Appellants/Respondents

- Vs. -

K.Chandrasekaran

... Respondent/Petitioner

Prayer in WA(MD). 830/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in W.P.(MD)No.13429 of 2018 on the following among other

Prayer in WP(MD). 13429/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle petitioners Surrender leave salary of Rs.35,606/- from 2011 to 2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 831/ 2019

1. The Managing Director Tamil Naud State Transport Corporation (Kumbakonam) Ltd, 27, New Railway Station Road, Kumbakonam 612 001.

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

... Appellants/Respondents

- Vs. -

S.Vedalingam

... Respondent/Petitioner

Prayer in WA(MD). 831/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 19.09.2018 in W.P.No.19454 of 2018 on the following among other



Prayer in WP(MD). 19454/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Order of the 2nd respondent in Ref.No.TNSTC/Kum/Law/L2/6282/2017 dated 12.02.2018 and quash the same and consequently direct the respondents to settle the petitioners surrender leave salary for 49 days of Rs.44,344 for the period of 2009-2012 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 832/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.
 2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Pudukkottai Region, Pudukkottai.
- ...Appellants/Respondents

- Vs. -

M.Nadimuthu

... Respondent/Petitioner

Prayer in WA(MD). 832/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.8856 of 2018.

Prayer in WP(MD). 8856/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22/03/2018, quash the same and consequently direct the respondents to settle the petitioners surrender leave salary of Rs.22,939/- for 19 days for the years from 2011-2013 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 833/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.
 2. The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Pudukkottai Region, Pudukkottai.
- ... Appellants/Respondents

- Vs. -

Ali Akbar

... Respondent/Petitioner



Prayer in WA(MD). 833/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.8952 of 2018.

Prayer in WP(MD). 8952/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to settle the petitioners surrender leave salary for 100.5 days of Rs.1,57,862/- from 2010 - 2015 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 834/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2.The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd,

Pudukkottai Region, Pudukkottai. ... Appellants/Respondents

- Vs. -

T.Chandrasekaran

... Respondent/Petitioner

Prayer in WA(MD). 834/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.13426 of 2018.

Prayer in WP(MD). 13426/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No.TNSTC/KUMBA/MaVaMe/Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle petitioners Surrender leave salary of Rs.3,82,720/- from 2010 to 2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 835/ 2019

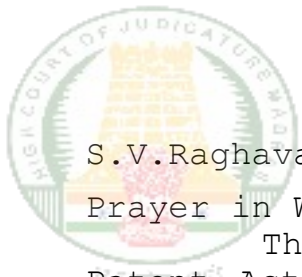
1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2.The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd,

Pudukkottai Region,

Pudukkottai.

... Appellants/Respondents



- Vs. -

S.V.Raghavan

... Respondent/Petitioner

Prayer in WA(MD). 835/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order dated 17.09.2018 in WP.No.19806 of 2018.

Prayer in WP(MD). 19806/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus calling of the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref No.TNSTC / KUMBA / MaVeMe/ Thani / 2018 dated 22/03/2018, quash the same and consequently directing the respondents to settle the petitioners surrender leave salary of Rs.1,13,841/- for 105 days from the year 2011-2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 836/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

2.The General Manager The Tamilnadu State Transport Corporation (Kumbakonam) Ltd,

Pudukkottai Region,

Pudukkottai.

..Appellants/Respondents

- Vs. -

N.Chandrasekaran

... Respondent/Petitioner

Prayer in WA(MD). 836/ 2019 :

This Writ Appeal is filed Under Clause 15 of the Letter Patent Act, to Prefer this Memorandum of Grounds of Writ Appeal against the order, dated 17.09.2018 in WP.No.19810 of 2018.

Prayer in WP(MD). 19810/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular of the 1st respondent in proceedings in Ref.No. TNSTC/KUMBA/MaVaMe/ Thani/2018 dated 22.03.2018, quash the same and consequently directing the respondents to settle the petitioners surrender leave salary of Rs.1,37,493 for 105 days from the year 2011-2017 together with interest at the rate of 18% per annum payable from the date of retirement to till the date of actual payment.

WA(MD). 837/ 2019

1. The Tamilnadu State Transport Corporation (Kumbakonam) Ltd, Rep by its Managing Director, Kumbakonam.

<https://hscservices.courts.gov.in/jcservices>



surrender leave salary. The appellant Corporation resisted the claim by contending that even though as per the settlement entered into under Section 12(3) of the Industrial Dispute Act, the employee is entitled for surrendering and encashing 15 days in one year or 30 days in two years, the same has not been done by the writ petitioner during his service during 2011-2014 and after superannuation only in the year 2016, he has made a claim of surrender of earn leave, based on the circular issued by the appellant Corporation, dated 09.01.2017. Further, it is submitted that the circular is not meant for enabling the retired employees to renew their claim of surrendering their earned leave of 15 days in a year during the service i.e., between 2011-2014 and it is applicable only for existing employees. Therefore, it is submitted that the respondent/writ petitioner cannot lay his claim based upon the circular, dated 09.01.2017.

3.The learned counsel appearing for the respondent/writ petitioner submitted that though the petitioner superannuated on 31.05.2016, from the year 2011 onwards, the said practice of surrendering 15 days or 50% of the earn leave per year was done away by the appellants Corporation on account of financial crises. Further, the action based on the settlement entered into under Section 12(3) of the Act was not available to the respondent/writ petitioner, because the appellants Transport Corporation is citing financial crisis. The learned Single Judge took into consideration the facts placed before him and also noted the circular dated 09.01.2017 and taking note of the fact that there is record to show that the appellants transport corporation pleaded financial crises for non-settling the surrender leave salary, allowed the writ petition.

4.While doing so, the Writ Court referred to an earlier order in the case of A.Sundararajan Vs., Tamil Nadu State of Transport Corporation (Kumbakonam Limited) [W.P (MD).No.24245 of 2016 etc batch], wherein similar relief sought for has been granted and the writ petitions were allowed and the appellants Transport Corporation was directed to implement the same. Thus in our considered view, the learned Single Judge has rightly gone into the factual position and took note of stand of the appellants corporation as to why earlier they did not permit surrender and allowed the writ petition. Therefore, we find that the appellants have not made out any ground to interfere with the order passed by the learned Single Judge.



5. For all the above reasons, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed."

3. There is no distinguishing feature in the instant appeals as the above judgment should not be applied to these cases also. In the light of the same, we inclined to follow our earlier judgment and dismiss these appeals.

4. The learned counsel for the appellants submitted that in certain cases contempt petitions were filed and under the fearing of action for contempt, settlements have been made and considering the financial position of the appellant Corporation, reasonable time may be granted.

5. In the light of the above, these writ appeals are dismissed and the appellant transport Corporation is directed to settle the eligible benefits of the respondent / work men in four equal monthly instalments and the first of such instalment shall be made on or before 18.10.2019 and subsequent instalments shall be made on the 18th day of the every succeeding English calendar month. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

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+3 CC to M/s.D.SIVARAMAN, Advocate (SR-88956[F] dated 24/09/2019)

+39 CC to M/s.A.RAHUL, Advocate (SR-89549[F] dated 26/09/2019)

**W.A. (MD) Nos.793 to 810, 812 to 817,
820 to 825, 828, 830 to 837 of 2019
24.09.2019**

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_KK/SAR/31.10.2019/27P-43C//