



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.09.2020**

CORAM

THE HON'BLE MR.JUSTICE **R.SURESH KUMAR**

W.P. (MD) .Nos.12040, 12041 and 12042 of 2020

WEB COPY

R.Balachandran

... Petitioner in

W.P(MD).No.12040 of 2020

M.Ravichandran

... Petitioner in

W.P(MD).No.12041 of 2020

B.P.Vijakumar

... Petitioner in

W.P(MD).No.12042 of 2020

-Vs-

1.Tamil Nadu State Transport Corporation Ltd.,
rep., by its Managing Director,
Madurai Division,
Bye Pass Road, Madurai 625 016.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Madurai Region, Bye Pass Road,
Madurai 625 016.

...Respondents in
all petitions

COMMON PRAYER: Writ Petitions are filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to pay the service surrender leave salary amount of Rs.86,302/-, Rs.1,16,046/- and Rs.16,767/- payable to the petitioners respectively for the period from 2009 to 2016, together with 18% interest from the date of their retirement i.e., 31.05.2017, 31.08.2017 and 31.05.2017 respectively to till the date of payment and all other attendant benefits to them within the stipulated period.

In all petitions

For Petitioners : Mr.A.Rahul

For Respondents : Mr.J.Senthilkumaraiah
Standing Counsel

COMMON ORDER

Prayer sought for herein is for a Writ of Mandamus, to direct the respondents to pay the service surrender leave salary amount of Rs.86,302/-, Rs.1,16,046/- and Rs.16,767/- payable to the petitioners respectively for the period from 2009 to 2016, together with 18% interest from the date of their retirement i.e., 31.05.2017, 31.08.2017 and 31.05.2017 respectively to till the date



of payment and all other attendant benefits to them within the stipulated period.

2.Heard Mr.A.Rahul, learned counsel appearing for the petitioners, and Mr.J.Senthilkumaraiah, learned Standing Counsel appearing for the respondents.

3.Since the issue raised in all these petitions is one and the same, by consent of both the learned counsel appearing for the parties, these writ petitions are disposed of by passing this common order at the admission stage itself.

4.All these petitioners were working as Senior Tradesman at the respondent Transport Corporation. On superannuation, after serving for several years, they retired from service.

5.These petitioners during the service had earned some earned leave, which could be surrendered to the respondents employer and it can be encashed .

6.In this context, though these petitioners claimed to have surrendered leave, the same has not so far been accepted and the surrender leave salary has not so far been paid. Therefore, these petitioners in order to get surrender leave salary have already approached the respondents by way of representations, dated 22.06.2020, separately.

7.However, since the said representations have also not been considered by the respondents, they filed these writ petitions with the aforesaid prayer.

8.The learned Standing Counsel, on instructions, would submit that, if at all these petitioners are entitled to get encashment of surrender leave salary in their account, the same would be verified and accordingly, based on their entitlement, the surrender leave salary would be calculated and be paid to the petitioners within a period of three months.

9.Having regard to the said submissions made by the learned Standing Counsel appearing for the respondents, this Court is inclined to dispose of these writ petitions with the following order:

'that the respondents are hereby directed to consider the respective representations submitted by the petitioners and accordingly, calculate the surrender leave salary payable to them and after calculating the same, the amount shall be disbursed to each of the petitioner within a period of three(3) months from the date of receipt of a copy of this



10. With the above directions, these Writ Petitions are disposed of. No costs.

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Sd/-

Assistant Registrar (CS II)

/ /2020

Sub Assistant Registrar(CS)

rmk

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

+3 CC to M/s.A.K. THANGAVELU, Advocate (SR-17489[F], 17490,17491 dated 21/09/2020)

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18.09.2020

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