



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2020

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.12851 of 2020

M.Kathamuthu

...Petitioner

-Vs-

The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai 625 016.

...Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondent to pay surrender leave salary payable for 120 days surrendered in the year from 2010-2017 while the petitioner was in service with 6% interest.

For Petitioner	: Mr.C.Thangamani
For Respondent	: Mr.J.Senthilkumaraiah
	Standing Counsel

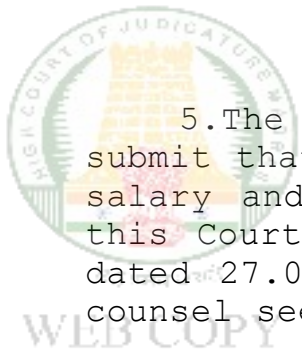
ORDER

The prayer sought for herein is for a Writ of Mandamus, to direct the respondent to pay surrender leave salary payable for 120 days surrendered in the year from 2010-2017 while the petitioner was in service with 6% interest.

2.Heard Mr.C.Thangamani, learned counsel appearing for the petitioner and Mr.J.Senthilkumaraiah, learned Standing Counsel appearing for the respondent.

3.By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

4.That the petitioner was working as Senior Grade Tradesman at the respondent Transport Corporation. After having rendered long years of service, he retired from service, on superannuation, on 28.02.2017. After retirement, the retiral benefits though had been disbursed to the petitioner, his surrender leave salary has not so far been paid, for which, the petitioner is entitled to. Therefore, in order to get the surrender leave salary, the petitioner had given a representation to the respondent on 11.03.2020. However, the same has not so far been considered. Therefore, the petitioner has filed this writ petition with the aforesaid prayer.



5.The learned counsel appearing for the petitioner would submit that, the petitioner is entitled to get the surrender leave salary and in this regard, number of orders have been passed by this Court, where he relied upon the order passed by this Court, dated 27.01.2020 in W.P(MD).No.1502 of 2020. Hence, the learned counsel seeks indulgence of this Court.

6.The learned Standing Counsel appearing for the respondent would submit that, if at all, the petitioner is entitled to get the surrender leave salary, the said entitlement would be decided by considering the representation, dated 11.03.2020 and accordingly, the surrender leave salary, according to the eligibility of the petitioner, would be calculated and be paid within a time frame that may be stipulated by this Court.

7.Considering the said submissions made by both sides, this Court is inclined to dispose of this writ petition with the following order:

'that the respondent is hereby directed to consider the representation of the petitioner, dated 11.03.2020 and accordingly, calculate the surrender leave salary payable to the petitioner and the said calculated/quantified amount shall be paid to the petitioner within a period of four months from the date of receipt of a copy of this order.'

8.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk
To
The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai 625 016.

W.P.(MD)No.12851 of 2020
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