



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.15316 of 2020

S.Nadarajan

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai-16.

2.The Finance Advisor and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai Region,
Madurai-16.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to settle the unpaid Surrender Leave Salary pending due unsettled for the years from 2009 to 2017 for 135 days surrendered from the petitioner's leave credit for 15 days every year and also the difference in Encashment of Earned Leave Salary of Rs.1,10,110/- based on the 7th Pay Commission increase along with belated payment of interest at the rate of 18% p.a immediately, in view of the petitioner taking treatment for Tuberculosis (T.B).

For Petitioner	: Mr.S.Govindan
For Respondents	: Mr.J.Senthil Kumariah Standing Counsel

O R D E R

This Writ Petition has been filed to direct the respondents to settle the unpaid Surrender Leave Salary for the years from 2009 to 2017 for 135 days surrendered from the petitioner's leave credit for 15 days every year and also the difference in Encashment of Earned Leave Salary of Rs.1,10,110/- along with belated payment interest at the rate of 18% p.a.

2.The grievance of the petitioner is that his surrender leave salary of 135 days for the period from 2009 to 2017 and also the difference in Encashment of Earned Leave Salary of Rs.1,10,110/- have not been disbursed by the respondents, though he has retired from service in the month of January 2018. In this regard, he has made a representation on 22.11.2019 to pay surrender leave salary and also the difference in Encashment of Earned Leave Salary along with interest. However, the respondents have not taken any steps. Therefore, he approaches this Court to pass appropriate order.



3.Mr.J.Senthil Kumariah, learned Standing Counsel, who takes notice for the respondents, would fairly submit that the petitioner's representation will be considered on merits and in accordance with law.

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4.In view of the submissions made by the learned counsel appearing on either side, this Court directs respondents to dispose of the petitioner's representation dated 22.11.2019 within a period of two months from the date of receipt of a copy of this order on merits and in accordance with law and to pay the amount arrived while disposing of the representation to the petitioner within a period of two months thereafter.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

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