



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.15309 of 2020

WEB COPY

B.Balasankar

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli.

2. The General Manager,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Kanyakumari District.

... 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 for 150 days adjusted from the Leave Account of the petitioner for the years from 2008 to 2018 at the rate of 15 days per year, unpaid Employees Retirement Benefit Scheme benefits available to all employees which were to be settled at the time of retirement with interest and also to settle interest at the rate of 18% p.a. on the belated payment of Provident Fund of Rs.7,30,154/- Gratuity Rs.10,50,802/- Earned Leave Salary Rs.6,79,789/- which were settled on 26.09.2019.

For Petitioner : Mr.S.Govindan
For Respondents : Mr.R.Rajamohan
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 150 days adjusted from the Leave Account of the petitioner for the years from 2008 to 2018.

2.The grievance of the petitioner is that his surrender leave salary of 150 days for the period from 2008 to 2018 has not been disbursed by the respondents, though he has retired from service in the month of August 2018. In this regard, he has made a representation on 12.10.2020 to pay surrender leave salary along with interest. However, the respondents have not taken any steps to settle the petitioner's surrender leave salary for the period of 150 days. Therefore, he approaches this Court to pass appropriate



3.Mr.R.Rajamohan, 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.

4.In view of the submission made by the learned counsel appearing on either side, this Court directs respondents to dispose of the petitioner's representation dated 12.10.2020 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 direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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.

To:-

1. The Managing Director,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli.
2. The General Manager,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Kanyakumari District.

+1 CC to Mr.R.RAJAMOHAN, Advocate SR-21238.

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