



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.09.2021**

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P(MD) No.16287 of 2021

M. Rethinam

... Petitioner

Vs.

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

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents to pay the petitioner's surrender leave salary for 75 days for the years 2011-2020 together with interest at the rate of 18% per annum from the date of the petitioner's retirement to till the date of disbursement within the time that may be stipulated by this Court.

For Petitioner	:	Mr.K.A.S. Prabhu
For Respondents	:	Mr.D. Siva Ramman Standing Counsel.

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to pay the petitioner's surrender leave salary for 75 days for the years 2011-2020 together with interest at the rate of 18% per annum from the date of the petitioner's retirement to till the date of disbursement.

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

3.The case of the petitioner is that the petitioner joined the first respondent Corporation as Conductor with effect from 03.04.1997. The petitioner retired from service on 31.03.2020. The grievance of the petitioner is that the respondents have not settled the surrender leave salary for 75 days for the years 2011-2020. Therefore, the petitioner has made a representation dated 24.08.2021, seeking to disburse the surrender leave salary for 75 days for the years 2011-2020, together with interest at the rate of 18% per annum from the date of retirement to till the date of



disbursement. Since on orders have been passed on the said representation, the petitioner has filed this Writ Petition.

4.The learned counsel appearing for the petitioner would submit that the similar issue has already been decided by this Court in W.A (MD).No.1138 of 2019, dated 25.10.2019, wherein, the Hon'ble Division Bench of this Court directed the Corporation to settle the arrears amount to the employee in four equal monthly installments. Therefore, on the same line, the present Writ Petition has to be disposed of.

5.The learned Standing Counsel appearing for the respondents Corporation would submit that the representation of the petitioner dated 24.08.2021 will be considered by the respondents corporation in the light of the order passed by the Division Bench this Court in W.A(MD).No.1138 of 2019, dated 25.10.2019.

6.In view of the submissions made by both the parties and in the light of the decision of the Division Bench of this Court in W.A.(MD)No.1138 of 2019, this Court directs the second respondent to consider the petitioner's representation dated 24.08.2021 by taking note of the order passed in W.A.(MD)No.1138 of 2019, dated 25.10.2019, and pass orders as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.



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

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-28802[F] dated 09/09/2021)

WP (MD) No.16287 of 2021
09.09.2021

RS (27.09.2021) 3P 4C