



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P. (MD)No.2702 of 2017

WEB COPY

M.Kulandairaj

... Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation (Kumbakonam)
Limited,
Karaikudi Region,
represented by its General Manager,
Karaikudi.

... Respondent

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the petitioner Rs.1,35,510/- towards the benefit of encashment of 84.5 days of sick/medical leaves earned by him before 31.08.1998 and stood in his leave credit as admitted by the respondent in the information dated 10.11.16 given under RTI Act, together with 18% interest per annum, within a time frame as may be fixed by this Court.

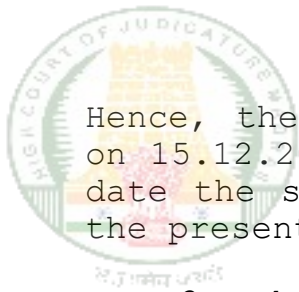
For Petitioner
For Respondent

: Mr.S.Arunachalam
: Mr.D.Sivaraman
Standing counsel

ORDER

This writ petition has been filed for a direction to the respondents to pay Rs.1,35,510/- towards the benefit of encashment of 84.5 days medical leave earned by the petitioner before 31.08.1998 and stood in his leave credit as admitted by the respondent in the information dated 10.11.2016, given under RTI Act, together with 18% interest per annum.

2. The case of the petitioner is that he was appointed as Conductor in the respondent Corporation in the year 1980. Thereafter, he was promoted as Traffic Inspector and retired from service on 31.03.2016, on reaching the age of superannuation. After retirement, terminal benefits were not paid to the petitioner. Hence, he approached this Court by filing the writ petition in W.P. (MD).No.14565 of 2016. This Court, by order dated 12.06.2015, directed the respondent to settle the entire terminal benefits. However, a sum of Rs.1,35,510/- towards the benefit of encashment of 84.5 days medical leave earned by the petitioner was not given.



Hence, the petitioner has made a representation to the respondent, on 15.12.2016, requesting to pay the above said benefit. But, till date the said amount was not paid. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned Standing counsel appearing for the respondent would submit that the admissible amount will be settled, as per the information given by the respondent under the Right to Information Act, dated 10.11.2016, within a period of four weeks.

4. Considering the facts and circumstances of the case, already the terminal benefits were settled in favour of the petitioner. However, a sum of Rs.1,35,510/- towards the benefit of encashment of medical leave was not settled and the respondent, vide information dated 10.11.2016, admitted that the petitioner is entitled for the benefit of encashment of 84.5 days medical leave.

5. In view of the above, the respondent is directed to settle the terminal benefits, as per the information given under the Right to Information Act, dated 10.11.2016, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam)
Limited,
Karaikudi Region.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-10855[F] dated 12/03/2021)

W.P. (MD)No.2702 of 2017
11.03.2021

KB(23.06.2021) 2P 3C