



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.792 of 2022

S.Gomathinayagam

...Petitioner

vs.

Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Coimbatore Region,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

...Respondent

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to pay him the amount payable towards the encashment of 60 days of Earned Leave, surrendered by him in the years before his retirement as admitted by the respondent, based on his monthly wages of the respective months of surrender of those earned leave, together with 6 percent interest p.a. from the respective due dates within a time frame as may be fixed by this Court.

For Petitioner : Mr.M.A.Sivakumaran

For Respondent : Mr.A.Sundaravadhanan
Standing Counsel

O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to pay him the amount payable towards the encashment of 60 days of Earned Leave, surrendered by him in the years before his retirement as admitted by the respondent, based on his monthly wages of the respective months of surrender of those earned leave, together with 6 percent interest p.a. from the respective due dates within a time frame as may be fixed by this Court.

2. According to the petitioner, the petitioner has made representation dated 23.11.2021 to the respondent/Corporation to settle the encashment of earned leave, surrendered by him. But the said amount has not been settled by the respondent/



Corporation. Hence, he filed the instant writ petition before this Court for the aforesaid prayer.

3. The learned counsel appearing for the petitioner has relied upon the order of this Court in W.P.No.6396 of 2021 etc., batch dated 12.03.2021, wherein this Court has passed an order stating that the petitioners are entitled for encashment of earned leave, surrendered by the petitioners.

4. The learned Standing Counsel appearing for the respondent/Corporation would submit that the aforesaid representation of the petitioner would be considered and pass appropriate orders in accordance with law and the same will be communicated to the petitioner.

5. In the light of the above said submissions made by the parties, this Court is inclined to direct the respondent/Corporation to consider the petitioner's representation dated 23.11.2021 and pass appropriate orders on merits and in accordance with law, as early as possible, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the copy of the representation dated 23.11.2021 along with this order before the respondent.

6. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dm
To

Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Coimbatore Region,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

+lcc to Mr.M.A.Sivakumaran, Advocate, S.R.No.29366

+lcc to Mr.A.Sundaravadhanan, Advocate, S.R.No.28496

W.P.No.792 of 2022

PA(CO)
RGA(22/06/2022)