



W.P.Nos.26125, 26126, 26128, 26131 & 26132 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.26125, 26126, 26128, 26131 & 26132 of 2019

(1)W.P.No.26125 of 2019

V.R.Sundarraaj

... Petitioner

-Vs-

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore Region,
Rep. by its Managing Director,
Coimbatore.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 60 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 percent interest from the date of his retirement, within a time frame as may be fixed by this Honble



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Court.

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(2)W.P.No.26126 of 2019

K.Marutharajan

... Petitioner

-Vs-

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore Region,
Rep. by its Managing Director,
Coimbatore.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 60 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 percent interest from the date of his retirement, within a time frame as may be fixed by this Honble Court.

(3)W.P.No. 26128 of 2019

M.Akbar Batsha

... Petitioner

-Vs-

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,



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Coimbatore Region,
Rep. by its Managing Director,
Coimbatore.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 60 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 percent interest from the date of his retirement, within a time frame as may be fixed by this Honble Court.

(4)W.P.No.26131 of 2019

R.Mohan

... Petitioner

-Vs-

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore Region,
Rep. by its Managing Director,
Coimbatore.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 35 days of earned leaves, surrendered by him in the years before his retirement as admitted by the



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respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 percent interest from the date of his retirement, within a time frame as may be fixed by this Honble Court.

(5)W.P.No.26132 of 2019

N.Krishnasamy

... Petitioner

-Vs-

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore Region,
Rep. by its Managing Director,
Coimbatore.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 15 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 percent interest from the date of his retirement, within a time frame as may be fixed by this Honble Court.



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For Petitioners in
all the Writ Petitions : Mrs.V.Porkodi
for Mr.V.Ajay Khose

For Respondent in
all the Writ petitions : Mr.A.Sundaravardhanan

COMMON ORDER

The relief sought in the present writ petitions are to direct the respondent to pay the petitioners, the amount payable towards the encashment of their respective days of earned leaves, surrendered by them in the years before their retirement as admitted by the respondent, either based on their monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the months of their retirements, together with 18 percent interest from the date of their retirement respectively.

2. The petitioners served in the respondent Transport Corporation and retired from service. However, the earned leave benefits surrendered by the petitioners were not settled during the relevant point of time. The learned counsel for the petitioners made a submission that the terminal



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benefits were already settled except the earned leave benefits. The petitioners made several representations and the respondent had not responded and settled the earned leave benefits. Therefore, the petitioners are constrained to move the present writ petitions.

3. This Court is of the considered opinion that terminal and pensionary benefits due to the employees are to be settled within a reasonable period of time by following the procedures as contemplated. In the present case, the other benefits are already paid to the petitioners except the earned leave benefits. This being the factum, the respondents are directed to settle the earned leave benefits due to the writ petitioners within a period of 12 weeks from the date of receipt of a copy of this order, if there is no other impediment for settling benefits.

4. Accordingly, the writ petition stands **disposed of**. However, there shall be no order as to costs.

01.12.2022

Index : Yes

Speaking order



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To

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore Region,
Rep. by its Managing Director,
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S.M.SUBRAMANIAM.J.,

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