



WEB COPY



W.P.Nos.30233, 30236 & 30237 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.Nos.30233, 30236 & 30237 of 2022

A. Manoharan .. *Petitioner in WP.No.30233/2022*
K. Thiagaraj .. *Petitioner in WP.No.30236/2022*
J.L. Fernandez .. *Petitioner in WP.No.30237/2022*

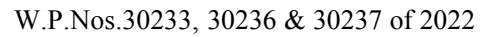
Vs.

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

.. *Respondent in all WPs*

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

For Petitioners : Mr.M.A. Sivakumaran
(*in all WPs*)
For Respondent : Mr.A. Sundaravadhanam,
(*in all WPs*) Standing Counsel



These Writ Petitions have been filed for the mandamus seeking for a direction to the respondent to pay the petitioners, the encashment amount for 60 days of Earned Leave surrendered by them while they were in service before their retirement, together with 6% interest p.a. based on their representations, within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioners.

Mr.A.Sundaravadhanam, learned standing counsel, accepts notice on behalf of the respondent in all the Writ Petitions. By consent of both the parties, these Writ Petitions are taken up for final disposal at the admission stage itself.

3. The petitioners claim that they had retired from service with the respondent/Corporation. According to them, they had surrendered 60 days of Earned Leave while they were in service with the respondent. However, till date, the encashment amounts for 60 days of surrendered Earned Leave are not paid by the respondent/Corporation. They would therefore claim that they are entitled for 6% interest per annum.

4. No prejudice will be caused to the respondent if the petitioners'



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representations are considered on merits and in accordance with law, within a time frame to be fixed by this Court. However, the petitioners will have to give a fresh representation.

5. For the foregoing reasons, this Court directs the petitioners to submit a fresh representation to the respondent, requesting for payment of the encashment of 60 days of Earned Leave alleged to have been surrendered by them while they were in service, together with interest, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the said representations, the respondent shall pass final orders on merits and in accordance with law, within a period of eight (8) weeks thereafter. The petitioners are directed to send a copy of the authorities which they rely upon in support of their claims to the respondent along with their representation.

6. With the aforesaid directions, these Writ Petitions are disposed of. No costs.

15.11.2022

Speaking/Non-speaking order
Index: Yes/No

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ABDUL QUDDHOSE,J.

Sni

To

Managing Director,
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