



W.P.No. 31841 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.11.2022

Coram

The HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.No.31841 of 2022

P.Baskaran

.. Petitioner

Vs

The Managing Director,
Tamilnadu State Transport Corporation (VPM) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu,
Vazhuthareddy PO,
Villupuram – 605 602.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus directing the respondent to pay the payment of 30 days of encashment of earned leave surrendered by the petitioner in the years before his retirement, having admitted by the respondent, in their R.T.I reply based on the monthly wages payable on the month of his retirement together with interest of 18 percentage from 31.07.2019 the date of retirement to till the date of settlement of the above benefits to the petitioner within a time frame as may be fixed by this Court.



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For Petitioner : Mr.V.S.Jagadeesan
For Respondent : Mr.R.Venkatesa Perumal

ORDER

This writ petition has been filed for a mandamus to the respondent / Transport Corporation to make payment towards encashment of earned leave of 30 days surrendered by the petitioner while he was in service prior to his retirement together with interest based on his representation dated 19.11.2022 within a time frame to be fixed by this Court.

2. The petitioner's grievance is that even though he retired from service on 31.07.2019, till date thirty days earned leave surrendered by him while he was in service was not allowed to be encashed. The petitioner has given a representation on 19.11.2022 requesting the respondent to make payment towards encashment of earned leave of 30 days surrendered by the petitioner while he was in service and since the said representation has not been considered, he has filed this writ petition.



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3. It is also stated in the affidavit filed in support of the writ petition that the respondent has admitted through the RTI reply received by the petitioner that they are liable to pay the amount towards encashment of 30 days of earned leave surrendered by the petitioner while he was in service.

4. Heard Mr.V.S.Jagadeesan, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned standing counsel, who takes notice on behalf of the respondent.

5. No prejudice would be caused to the respondent if the petitioner's representation referred to supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 19.11.2022, requesting the respondent to make payment towards encashment of 30 days of earned leave surrendered by the petitioner while he was in service,



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within a period of twelve weeks from the date of receipt of a copy of this order.

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7. With the aforesaid direction, the writ petition is disposed of. No costs.

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Index:Yes/No
mmi

To

The Managing Director,
Tamilnadu State Transport Corporation (VPM) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu,
Vazhuthareddy PO,
Villupuram – 605 602.



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ABDUL QUDDHOSE,J.

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