



WP(MD)No.7881 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE G. CHANDRASEKHARAN**

W.P.(MD)No.7881 of 2022

R.Thirumalai

... Petitioner

/vs./

1.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Madurai Division, Bye Pass Road,
Madurai-625 016.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Dindigul Region, Chettinayakanpatti Post,
Dindigul-624 004.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay the Service Surrender Leave Salary amount of Rs.73,053/- payable to the petitioner for the period from 2010 to 2017, together with 6% interest from the date of his retirement ie., 31.05.2018 to till the date of payment and all other attendant benefits to him.



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For Petitioner : Mr.A.K.Thangavelu

For Respondents : Mr.J.Senthil Kumaraiah

Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Though this petition was filed for payment of surrender leave salary together with interest, the learned standing counsel appearing for the respondents submitted that in this case, surrender leave salary of Rs.73,053/- was paid to the petitioner. Now, aggrieved against the belated settlement of surrender leave salary to the petitioner, he has claimed interest on the belated payment in this Writ Petition.

3.In an identical circumstance, when a similarly placed employee had sought for payment of his surrender leave salary together with interest, this Court, in the case of **N.R.Suresh Babu vs. The Principal Secretary to Government and another** passed in **WP(MD)No.3757 of 2021** dated **26.02.2021**, had directed



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the transport Corporation to settle the surrender leave salary together with interest at the rate of 6% per annum from the date of his retirement till the date of actual disbursement, in six equal monthly installments. The relevant portion of the order reads as follows:

“9.Accordingly, there shall be a direction to the second respondent herein to settle the surrender leave salary for 105 days, in respect of the years 2009-2016, together with interest at the rate of 6% per annum from the date of retirement till the date of actual disbursement. The second respondent shall be entitled to disburse the surrender leave salary in six Equal Monthly Installments and the 1st Installment shall commence from 1st of March 2021.”

The aforesaid order came to be confirmed by the Hon'ble Division Bench of this Court in a Judgment passed in WA(MD)Nos.1883 to 1892 of 2021, dated 04.10.2021.

4.It is submitted by the learned standing counsel appearing for the respondents that in this case, surrender leave salary of Rs.73,053/- was paid to the petitioner. However, the petitioner herein would be entitled for interest at the rate



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of 6% per annum payable from the date of his retirement till the date of actual disbursement, for the amount belatedly settled on surrender leave salary.

5. Accordingly, the respondents herein are directed to disburse the interest amount for the amount belatedly settled on surrender leave salary, as ordered above, within a period of three (3) months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands partly allowed. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

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G. CHANDRASEKHARAN, J.

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Order made in
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