



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 21.06.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**W.P. (MD) .No.12669 of 2022**

A.Paulraj

...Petitioner

**Vs.**

The Management of  
Tamilnadu State Transport Corporation (Madurai) Limited,  
Madurai Region,  
Represented by its Managing Director,  
Madurai.

...Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 75 days of earned leaves, surrendered by him in the years from 2010 to 2012 and 2014 and 2015 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 % interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 % interest from the date of his retirement, within a time frame as may be fixed by this Court.

|                |   |                                                    |
|----------------|---|----------------------------------------------------|
| For Petitioner | : | Mr.S.Arunachalam                                   |
| For Respondent | : | Mr.Gladson Micheal Rajadurai,<br>Standing Counsel. |

**ORDER**

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

2.Aggrieved against the non-settlement of the surrender leave salary to the petitioner, he has claimed settlement of surrender leave salary together with interest 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 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 1<sup>st</sup> 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. In view of the earlier orders passed by this Court, the petitioner herein would be entitled for claim of surrender leave salary for the eligible amount in respect of the years 2010 to 2012, 2014 and 2015, together with interest at the rate of 6% per annum payable from the date of his retirement till the date of actual disbursement.

5. Accordingly, the respondent herein is directed to disburse the surrender leave salary as ordered above, in six equal monthly installments, whereby the first installment shall commence from 1<sup>st</sup> of August 2022. This Writ Petition stands partly allowed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Lm/Nsr

To  
The Managing Director,  
The Management of  
Tamilnadu State Transport Corporation (Madurai) Limited,  
Madurai Region,  
Madurai.  
+1 CC to M/s.S. GLADSON MICHEAL RAJADURAI, Advocate ( SR-27206[F]  
dated 21/06/2022 )

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**21.06.2022**