



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27096 of 2022

N.Veerapandian

... Petitioner

Vs.

The Management of

Tamil Nadu Transport Corporation (Kumbakonam) Ltd.,

Trichy Region, Rep. By its General Manager,

Trichy.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the petitioner the amount towards the encashment of 158 days of earned leaves surrendered by him in the years from 2010 to 2022 before his retirement either based on his monthly wages of the respective months of surrender of those earned leaves together with 18 percentage interest per annum from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18 percent from the date of his retirement, within a time frame fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Jagadees Balan,
Standing Counsel.

* * *

**ORDER**

Heard the learned counsel on either side.

2. The writ petitioner was employed as Conductor in the respondent Corporation. He joined service in the year 1987. He reached the age of superannuation in the year 2020. He was allowed to retire. His grievance is that he was not allowed to encash 150 days of earned leave surrendered by him from the years 2010-20.

3. I have considered the similar issue vide order dated **20.10.2022** in **W.P.(MD)No.24181 of 2022 (C.Mohan V. The Management of Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., Trichy Region)**. It was held in the aforesaid decision is as follows:-

“ 3.When similar issue came up in W.P. (MD)No.19354 of 2022 (G.Senthilvel V. The Secretary to Government, Government of Tamil Nadu, Transport Department, Chennai), vide order dated 24.08.2022, a learned Judge of this



Court has held as follows:-

“ 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



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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. 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 2010-2019, together with interest at the rate of 6% per annum payable from the date of his retirement till the date of actual disbursement. "

4. Adopting the very same approach, I direct the respondent Corporation to settle the monetary equivalent of the surrender leave salary to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. Of course the monetary equivalent will be reckoned with



reference to the salary drawn in the respective years. Since the writ petitioner has chosen to come to the Court in the year 2022, interest is denied. This writ petition stands partly allowed. No costs.

01.12.2022

Index : Yes / No

Internet : Yes/ No

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To:

The Management of
Tamil Nadu Transport Corporation (Kumbakonam) Ltd.,
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G.R.SWAMINATHAN,J.

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