



W.P.No.95 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.95 of 2023

K.Ganesan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Salem Division,
No. 12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.

2. The General Manager
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Salem Division,
No. 12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to settle the Petitioner's benefit of encashment of Earned Leave surrendered by petitioner before the respondents from the year 2010 to till the date of retirement (60 days) earned leave with interest at 6% as per the 1998 Wage Settlement Effect under section 12(3) of ID Act, 1947.



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For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.K.Raja
Standing Counsel
for R1& R2

ORDER

The grievance of the petitioner in this Writ Petition is that during his service with the respondent Transport Corporation, he had surrendered Earned Leave of sixty days, but, till date, the petitioner has not been allowed to encash the said Earned Leave and the same has not been disbursed to him. Therefore, he seeks for payment of the disbursement of the surrendered Earned Leave as well as the payment of interest at the rate of 6% per annum for the said amount.

2. The petitioner has given a representation on 20.07.2022, to the respondent Transport Corporation, seeking for disbursement of his surrendered Earned Leave as well as for payment of interest. Since the representation has not been considered till date, he has filed this Writ Petition.



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3. Heard, Mr.N.Sudhagar Nagaraj, learned counsel for the petitioner and Mr.K.Raja, learned Standing Counsel who accepts notice on behalf of R1 & R2.

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

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 20.07.2022, seeking for disbursement of his surrendered Earned Leave together with interest, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

05.01.2023

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes / No
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ABDUL QUDDHOSE. J.,

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