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W.P.(MD)NO.8117 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8117 of 2023 AND
W.M.P.(MD)Nos.7488 & 7489 of 2023

P.Manickam

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Transport Department,
Fort St. George,
Chennai – 600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Kumbakonam,
Thanjavur District.

3. The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Trichy Region,
Periyamilaguparai,
Tiruchirappalli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order dated 01.01.2022 in Ref. TNSTC/KUM/ TRY/DS/SM1/ 16188/2021 passed by the 3rd respondent



and quash the same and consequently direct the 3rd respondent to sanction surrender leave salary to the petitioner within the time limit that may be fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For R-1 : Mr.G.Suriyananth,
Additional Government Pleader.
For R-2 & R-3 : Mr.K.Jagadeesbalan,
Standing Counsel.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is a retired employee of the respondent Corporation. He had 120 days leave to his credit. He wanted to surrender the same and encash it. By the impugned order, his request was not accepted.

3. It has been held in a catena of decisions that the petitioner is entitled to surrender leave salary. One such order has been enclosed in the typed set of papers. There is no reason to deny the benefit of



surrender leave salary to the petitioner. The order impugned in this writ petition is set aside. Respondents 2 and 3 are directed to disburse the surrender leave salary to the petitioner within a period of three months from the date of receipt of a copy of this order. I consciously refrain from quantifying the exact figure. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

27.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Secretary to Government,
Transport Department,
Fort St. George,
Chennai – 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Kumbakonam,
Thanjavur District.
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G.R.SWAMINATHAN,J.

PMU

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