



W.P(MD)No.9194 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9194 of 2023

R.Gunasekaran

... Petitioner

Vs

1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department,
Secretariat,
Chennai – 600 009.

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

3.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Periyamilaguparai,
Trichirappalli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents to settle the



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petitioner's benefit of encashment of Earned Leave (92 days) surrendered by petitioner's before the respondents 2 and 3 from the year 2010 to till the date of retirement of the petitioner with interest at 6% as per the 1998 Wage Settlement Effect under Section 12 (3) of ID Act, 1947.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.G.Suriyananth
Additional Government Pleader for R.1

Mr.K.Jagadees Balan
Standing Counsel for R.2 & R.3

ORDER

Heard the learned counsel on either side.

2. The writ petitioner is a retired employee of the respondent Corporation. His grievance is non-settlement of the surrender leave salary to him.

3. The issue raised in the writ petition is no longer res integra. It is squarely covered by the order dated 04.10.2021 passed by the Hon'ble Division Bench in W.A.(MD)Nos.1883 to 1892 of 2021.



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4. Respectfully following the same, the respondents are directed to disburse the surrender leave salary to the petitioner herein in six monthly installments with 6% interest. The first installment shall commence from **20.07.2023.**

5. The writ petition is allowed accordingly. There shall be no order as to costs.

23.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

- 1.The Secretary to Government,
Transport Department,
Secretariat,
Chennai – 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam,
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G.R.SWAMINATHAN, J.

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