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W.P.(MD)NO.9832 OF 2023

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

**DATED: 27.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.9832 of 2023 AND**  
**W.M.P.(MD)No.8664 of 2023**

S.Balu

... Petitioner

Vs.

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

2. 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 28.09.2021 in Ref. TNSTC/KUM/Legal/L2/11896-5/2021 passed by the 2<sup>nd</sup> respondent and quash the same and consequently direct the 2<sup>nd</sup> respondent to sanction surrender leave salary for 120 days to the petitioner along with interest within the time limit that may be fixed by this Court.



For Petitioner : Mr.N.Sudhagar Nagaraj  
For Respondents : 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. The respondents 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 Managing Director,  
Tamil Nadu State Transport Corporation (KMB) Ltd.,  
Kumbakonam,  
Thanjavur District.
2. The General Manager,  
Tamil Nadu State Transport Corporation (KMB) Ltd.,  
Trichy Region,  
Periyamilaguparai.  
Tiruchirappalli District.



WEB COPY



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**G.R.SWAMINATHAN,J.**

PMU

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