



W.P.(MD).No.11930 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.11930 of 2021

K.Moorthy

... Petitioner

Vs.

The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
New railway station road,
Kumbakonam-612 001.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay the difference amount of encashment of earned leave based on the revised scale of pay as per the 6th pay commission report with 18% interest.

For Petitioner : M/s.D.Ramya

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



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ORDER

The present writ petition has been filed seeking direction to the respondent to pay the difference amount of encashment of earned leave based on the revised scale of pay as per the 6th pay commission report with 18% interest.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner worked as a Special Officer in Manager Cadre in respondent's Transport Corporation and retired from service on 30.04.2008. After retirement, their pay was revised as per the 6th Pay Commission Report retrospectively with effect from 01.01.2006. Therefore, the petitioner is entitled to get the difference amount of encashment of earned leave based on the revised scale of pay. Hence, the petitioner made several representations on various dates. Since the same was not considered by the respondent, the present writ petition came to be filed.



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3. The learned counsel appearing for the petitioner submitted that a similar issue has already been considered by a Division Bench of this Court in W.A.(MD)Nos.716 and 718 of 2017, dated 15.06.2017 and hence, he prays for appropriate orders.

4. The learned Standing Counsel appearing for the respondent would submit that the representations of the petitioners would be considered on merits and within a time frame as fixed by this Court.

5. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.

6. Considering the nature of prayer as sought for by the petitioner herein, without going into the merits of this case, the respondent is directed to consider the petitioner's representation and pass appropriate orders on merits and in accordance with law and also in the light of the judgment passed by the Division Bench of this Court in W.A.(MD)Nos.716 and 718 of 2017, dated



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15.06.2017, after affording an opportunity of hearing to the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. There shall be no order as to costs.

03.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
New railway station road,
Kumbakonam-612 001.



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L.VICTORIA GOWRI, J.

Sml

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