



W.P.(MD).No.14222 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.14222 of 2024

M.Gnanasekaran

...Petitioner

Vs

The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam Region,
Represented by its Managing Director,
Kumbakonam.

... 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 petitioner the amount towards the encashment of 169 days of earned leaves surrendered by him in the years before his retirement either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18% interest from the date of his retirement, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Jagadees Balan

ORDER

Heard Mr.S.Arunachalam, learned counsel for the petitioner and Mr.K.Jagadees Balan, learned counsel for the respondent.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the respondent to pay the petitioner the amount towards the encashment of 169 days of earned leaves surrendered by him in the years before his retirement either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18% interest from the date of his retirement.

3. Mr.S.Arunachalam, learned counsel for the petitioner submitted that the petitioner was appointed as Junior Assistant in the respondent Corporation on 24.04.1979 and after completion of 38 years of service, he was promoted as Senior Grade Superintendent and retired from service on 31.12.2016, on attaining the age of superannuation. While



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settling the terminal benefits, the respondent settled the benefit of encashment of earned leave of 240 days only and failed to settle the amount payable towards 169 of earned leaves, which were surrendered by the petitioner before his retirement. In this regard, the petitioner has sent a representation on 02.03.2024 seeking the disbursement of the above said benefits. Since no action was taken, the present petition is filed.

4. In view of the above said facts, this Writ Petition is **disposed of** with a direction to the respondent to settle the eligible surrender leave salary to the petitioner within a period of eight weeks from the date of receipt of a copy of this order along with 6% interest per annum from 01.01.2017 onwards. No costs.

02.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

The Managing Director,
The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam.



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R.N.MANJULA, J.

Nsr

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