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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2024

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.24687 of 2024

M.Nirmala Devi

... Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation(Kumbakonam) Limited,
Trichy Region,
Rep. by its General Manager,
Trichy.Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 135 days of earned leaves surrendered by her deceased husband/employee(Late) A.Murugesan, Staff No. 97DR2114 in the years before his death, as admitted by the respondent in the settlement of account dated 16.09.2021, 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 to him on the month of his death, together with 18% interest from the date of his death, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Ramaiah
Standing Counsel

ORDER

The instant writ petition has been filed by the wife of a deceased employee, seeking a mandamus for releasing the surrender salary encashment along with 6% interest.

2.From the affidavit, it could be seen that the petitioner's husband was working as Special Grade Driver had passed away on 23.06.2021 while in service. Even though, the other terminal benefits were released, the surrender earned leave encashment for 135 days has not yet been released. Seeking the said benefits, the petitioner has sent a representation on 18.07.2024. Since there is no response, the present writ petition has been filed.

3.Considering the above said facts, the respondents transport corporation is directed to release a sum of Rs.1,35,167/- towards earned leave surrender for a period of 135 days within a period of twelve weeks from the date of receipt of a copy of this order along with 6% interest from the due date.



4. With the above said observations, this writ petition stands disposed of.

No costs.

19.10.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

The General Manager,
The Management of
Tamil Nadu State Transport Corporation(Kumbakonam) Limited,
Trichy Region,
Trichy.



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R.VIJAYAKUMAR, J.

RJR

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