



W.P.(MD)No.30222 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30222 of 2024

V.Asaithambi

... Petitioner

-VS-

1.The Government of TamilNadu,
Rep. by its Secretary,
Transport Department,
Secretariat,
Chennai-600 009.

2. The Managing Director,
TamilNadu State Transport Corporation,
(Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

3. The General Manager,
Tamilnadu State Transport Corporation,
(Kumbakonam) Ltd.,
Trichy Region,
Periyamilaguparai,
Tiruchirappalli District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the petitioner's benefit of encashment of Earned Leave (45 days) surrendered by petitioner's before the respondents 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 Respondent No.1	: Mr.D.Sasikumar Additional Government Pleader
For Respondent Nos.2 & 3	: Mr.K.Ramaiah Standing Counsel

ORDER

The instant writ petition has been filed by a retired employee of the respondent Transport Corporation seeking a mandamus for disbursement of earned leave salary along with 6% interest pursuant to 12(3) of ID Act, 1947.

2. The petitioner herein had retired from service on 31.05.2022. At the time of his retirement, the petitioner was not permitted to encash earned leave. Therefore, the petitioner has sent a representation on 07.08.2024, seeking disbursement of the above said benefits. Since the same has not been considered, the present writ petition has been filed.



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3. Considering the above said facts, the second and third respondents are directed to disburse the eligible monetary benefits to the writ petitioner along with 6% interest from the due date till the date of disbursement within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above said observations, this writ petition stands disposed of. No costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

gvn

To

1.The Secretary,
Transport Department,
Secretariat,
Chennai-600 009.

2. The Managing Director,
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