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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.P.Nos.16220, 16221, 16225 & 16226 of 2021

K.Arumugam ..Petitioner in W.P.No.16220 of 2021

K.Nagarajan ..Petitioner in W.P.No.16221 of 2021

T.Kanchimaliyan ..Petitioner in W.P.No.16225 of 2021

M.Angamuthu ..Petitioner in W.P.No.16226 of 2021

Vs.

The Management of
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Rep. by its Managing Director,
Coimbatore. ...Respondent in all the WPs

Prayer in all the WPs: These Petitions have been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondent to pay the petitioners the amount payable towards the encashment of 45 days, 60 days, 60 days and 30 days of Earned leave respectively, surrendered by them in the years before their retirement as admitted by the respondent, either based on their 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 their retirement, together with 18% interest from the date of their retirement, within a time frame.

For Petitioners in all the WPs : Mr.V.Ajoy Khose

For Respondent in all the WPs : Mr.A.Sundaravadhanan Standing Counsel

C O M M O N O R D E R

(The case has been heard through video conference)

Mr.A.Sundaravadhanan, learned Standing Counsel for the Tamil Nadu State Transport Corporation (CBE) takes notice on behalf of the respondent.

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2. By consent of the learned counsel on either side, these writ petitions are taken up for final disposal.

3. The petitioners seek a Writ of Mandamus, directing the respondent to disburse the surrender leave benefits. The Transport Corporation had while replying to the letter of the petitioners seeking information under the Right to Information Act, on 06.03.2021, 20.03.2021, 26.04.2021 and 29.04.2021 respectively, admitted that the petitioners are entitled to encashment of surrender leave.

4. The learned standing counsel appearing for the respondent Corporation seeks three months time for making the payment.

5. Considering the fact and circumstances of the case, the writ petitions are disposed of with a direction to the respondent to pay the surrender leave benefits to the petitioners within a period of two months from the date of receipt of a copy of this order with 4% interest from the date of retirement till the date of payment. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kk
To

The Managing Director,
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Coimbatore.

+4 CCS to Mr.V.Ajoy Khose, Advocate, Sr.No. 38378, 38379, 38380, 38381.

W.P.Nos.16220, 16221,
16225 & 16226 of 2021

KG(CO)
LS(02/09/2021)

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