



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.11114 of 2022

P.Arunachalam

... Petitioner

vs.

The Management of Tamilnade State
Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to pay the petitioner Rs.34,461/- payable towards the encashment of 60 days of earned leave, surrendered by him in the years before his retirement as admitted by the respondent, in their RTI reply, based on his monthly wages of the respective months of surrender of those earned leave, together with 18% interest p.a from the respective due dates or based on the monthly wages payable to him in the month of his retirement, together with 18% interest from the date of his retirement, within a time frame fixed by this Court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.A.Sundaravadhanan
Standing Counsel

O R D E R

By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking to issue a Writ of Mandamus directing the respondent to pay the petitioner a sum of Rs.34,461/- towards the encashment of 60 days of earned leave, surrendered by him with interest at 18% p.a.

3. Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.



4. The petitioner was working as Senior Conductor under the respondent Transport Corporation and he retired from service on attaining the age of superannuation on 30.04.2015 itself. However, till now, the respondents have not paid the amount of Rs.34,461/- towards 60 days of encashment of Earned Leave surrendered by the petitioner, as admitted by them under RTI Act vide reply dated 26.02.2021. Hence this writ petition.

5. The learned Standing Counsel appearing for the respondent fairly submitted that, the above due amount will be paid to the petitioner within the time, as fixed by this court.

6. The respondent, vide reply dated 26.02.2021, has admitted that they have to pay the petitioner a sum of Rs.6909 + 7618 + 8369 + 11456 (totalling to Rs.34,452) towards the Earned Leave surrendered by him.

6. In view of the above, this Court is inclined to direct the respondent to pay the above said amount of Rs.34,452/-, with interest at the rate of 4% per annum, within a period of eight weeks from the date of receipt of a copy of this order. It is also made clear that in default, the respondent-Corporation shall have to pay the interest amount at the rate of 6% per annum to the petitioner.

7. With the above directions, the writ petition stands disposed of at the admission stage itself. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Mst

To

The Managing Director,
The Management of Tamilnadu State
Transport Corporation (Kovai) Ltd.,
Erode Region, Erode.

+1cc to Mr.V.Ajoy Khose, Advocate SR.No.30010

+1cc to Mr.A.Sundaravadhanan, Advocate SR.No.30528

W.P.No.11114 of 2022

RK(CO)
GN(03/06/2022)