

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15765 of 2022

P. Eswaran

... Petitioner

Vs.

Tamilnadu State Transport
Corporation (Kovai) Ltd.,
Erode Region,
Represented by its Managing Director,
Erode.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondent to pay the petitioner Rs. 1,12,133/- payable towards the encashment of 105 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 the petitioner retirement, together with 18 % interest from the date of his retirement, within a time frame fixed by this Court.

For Petitioner : Mr. V. Porkodi

For Respondent : Mr. A. Sundaravadanam

ORDER

This writ petition is filed for the issuance of a Writ of Mandamus, directing the respondent to pay the petitioner Rs. 1,12,133/- payable towards the encashment of 105 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 the petitioner retirement, together with 18 % interest from the date of his retirement, within a time frame

fixed by this Court.

2. The petitioner has made a representation to the respondent asking for payment of a sum of Rs. 1,12,133/- payable towards encashment of earned leave for the period of 105 days surrendered by him. On 07.04.2022, the respondent has furnished details to the petitioner, replying to the application submitted by him under the RTI Act, wherein it is stated that the petitioner is entitled for 105 days of encashment of earned leave to the tune of Rs. 1,12,133/-.

3. According to the petitioner, the said amount has not been settled to the petitioner. Hence, the petitioner has filed the instant writ petition before this Court.

4. Considering the facts and taking note of the aforesaid details furnished to the petitioner for entitlement of the encashment of the earned leave surrendered by him, the respondent is directed to pass appropriate orders in accordance with law within a period of twelve weeks for the date of receipt of a copy of this order. It is needless to say that if any belated payment of terminal benefits, 4% interest to be given to the petitioner on the said belated terminal benefits.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

(mrn)

To

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

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.39027
+1cc to Mr.A.Sundaravadhanan, Advocate, S.R.No.39427

W.P.No.15765 of 2022

GPL(CO)
SB(14/07/2022)