



WEB COPY



W.P. No.30124 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.30124 of 2022

1. J. Anbarasu
2. M. Kalyanasundaram
3. N. Ravi
4. A. Thennagathan
5. M. Sundaresan
6. C. Selvam

... Petitioners

Vs

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore – 632 009.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the leave encashment benefits to the petitioners which they are entitled to with interest at the rate of 6% per annum from the date of their



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entitlement to till the date of actual disbursement.

For Petitioners	: Mr.P. Manoj Kumar
For Respondents	: Ms.S. Pavithra
	Standing counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Ms. S. Pavithra, learned Standing counsel accepts notice on behalf of the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to disburse the leave encashment benefits to the petitioners together with interest at 6% per annum from the date of their entitlements till the date of actual disbursement, within a time frame to be fixed by this Court.

4. The petitioners claim that they have all retired from service with the respondent Transport Corporation. According to them, their leave encashment benefits have not been disbursed till date, despite their retirement. They claim that they are entitled for the same along with interest at the rate of 6% per annum.



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5. Heard Mr.P. Manoj Kumar, learned counsel for the petitioners and

Ms.S. Pavithra, learned Standing counsel for the respondents.

6. No positive direction can be granted by this Court at this stage.

7. The learned counsel for the petitioners submits that the petitioners will be satisfied if they are allowed to give a fresh representation to the respondents requesting them to pay their leave encashment benefits together with interest, provided the respondents are directed to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.

8. This Court is not expressing any opinion on the petitioners' claim. It is for the respondents to consider the same on merits and in accordance with law. No prejudice would be caused to the respondents if the petitioners' are allowed to submit a fresh representation to the respondents requesting them to pay their alleged leave encashment benefits together with interest and a direction is issued to the respondents to consider the same on merits and in accordance with law.

9. For the foregoing reasons, this Court directs the petitioners to submit a fresh representation to the 2nd respondent requesting for



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disbursement of the leave encashment benefits together with interest, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the 2nd respondent shall pass final orders on merits and in accordance with law, within a period of eight weeks, thereafter.

10. With the aforesaid direction, this writ petition is disposed of. No costs.

14.11.2022

(½)

Index: Yes/ No
Internet : Yes / No
Speaking Order/Non-speaking Order
vsi2

To
1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
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Vellore – 632 009.

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ABDUL QUDDHOSE, J.

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