



WEB COPY



Writ Petition No.3422 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3422 of 2023

K.Vellingiri

... Petitioner

Vs.

Managing Direcotr,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Region,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondent to pay the petitioner amount payable towards encashment of 89.50 days of Earned Leave surrendered by him in the years before his retirement, based on his monthly wages of the respective years of surrender of those earned leave, together with 6% interest from the respective due dates within a time frame as may be fixed by this Court.

For Petitioner : Mr.M.A.Sivakumaran

For Respondent : Mr.A.Sundaravadhanan
Standing Counsel



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ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondent to pay the petitioner encashment of earned leave that was surrendered by the petitioner before his retirement along with interest.

2. The case of the petitioner is that he joined in the respondent corporation in the year 1981 as Company Trainee. Thereafter, he was promoted as Assistant Manager (Technical) in the year 2016. The petitioner ultimately attained superannuation and retired from service on 30.06.2017. The grievance of the petitioner is that he had surrendered earned leave for 89.50 days and this amount has not been paid to the petitioner. The petitioner made a representation, in this regard, on 10.01.2023. Since there was no response, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.M.A.Sivakumaran, learned counsel for petitioner and Mr.A.Sundaravadhanan, learned Standing Counsel, appearing for respondent.

4. Taking into consideration the limited relief sought for in this



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writ petition and also considering the fact that the petitioner will be eligible for payment of surrendered earned leave, there shall be a direction to the respondent to settle the same within a period of four (4) weeks from the date of receipt of a copy of this order. If the settlement is not made within four (4) weeks, the petitioner will be entitled for interest at the rate of 6% p.a. from the date when it became due till the date of actual payment to the petitioner. The petitioner is directed to make a fresh representation to the respondent along with all relevant records and also a copy of this order.

Accordingly, this Writ Petition is disposed of with the above direction. No costs.

09.02.2023

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
rap/gm

To

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Region,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

N.ANAND VENKATESH, J



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