



WEB COPY



W.P.No.17708 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17708 of 2023

V.Jayaprakash

...Petitioner

Vs

Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep by its Managing Director,
43, Mettupalayam Road,
Coimbatore

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the petitioner a sum of Rs.24,380/- payable towards the encashment of 45 days of earned leave, surrendered by the petitioner 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 the petitioner in the month of his retirement together with 18% interest from the date of his retirement within a time frame to be fixed by this Court.

For Petitioner : Mr.R.Krishnaswamy
For Respondent : Mr.A.Sundaravadhanam
Standing Counsel

ORDER



W.P.No.17708 of 2023

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2. The petitioner had retired from service from the respondent Corporation on 31.05.2014. His retirement benefits, except the encashment of earned leave, were settled. To an application made by the petitioner under the Right to Information Act, seeking for his eligible amount of surrender earned leave, the respondent, in their reply dated 12.10.2021, had stated that the petitioner was entitled for a sum of Rs.24,380/- towards 45 days of surrendered earned leave.

3. In view of the admitted fact that the petitioner is eligible for the amount, which has not been paid till date, the petitioner would be entitled for interest on the outstanding amount.

4. In the light of the above observations, the respondent is directed to pay the petitioner the terminal benefits, together with interest at the rate of 4% from the date on which he would be eligible for such payment,



W.P.No.17708 of 2023

WEB COPY

till the date of actual disbursement, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition stands allowed. No costs.

15.06.2023

1/3

Index:Yes/No

Speaking order/Non-speaking order

sr

To

Managing Director,
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
43, Mettupalayam Road,
Coimbatore



WEB COPY



W.P.No.17708 of 2023

M.S.RAMESH,J.

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W.P.No.17708 of 2023

1/3

15.06.2023