



WP.No.25342 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

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1. Viswanathan
2. V.Deivasigamani
3. C.Loganathan
4. M.Abdul Samath
5. Robert John
6. S.Selvarjan
7. C.Prakash
8. Mariappan.R
9. R.Rajendran
10. F.Simon
11. F.Polson

.. Petitioners

Versus

1. The Tamil Nadu State Transport Corporation Limited
Coimbatore Division I
Rep by its Managing Director
No.37, Mettupalayam Road
Coimbatore

2. The Administrator
Tamil Nadu Pension Trust
Pallavan Salai, Chennai

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to pay Earned Leave surrendered by the petitioners along with the interest to the petitioners.



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For Petitioners : Mr.D.Anand Raja
For Respondents : Mr.A.Vinothraj for R1
Mr.C.S.K.Sathish for R2

ORDER

This Writ Petition has been filed seeking to direct the first respondent herein to pay Earned Leave surrendered by the petitioners along with the interest to the petitioners.

2. It is the case of the Writ Petitioners that they retired from their service during 2019. The grievance of the petitioners are that Earned Leave surrendered by the petitioners along with the interest are not paid. In this regard, the petitioners have given representations to the respondents, however, the same have not been considered by the respondents. Hence, the present Writ Petition.

3. Heard Mr.D.Anand Raja, learned counsel for the petitioners and Mr.A.Vinothraj, learned counsel for the first respondent and Mr.C.S.K.Sathish, learned counsel appearing for the second respondent.

4. The learned counsel for the respondents submitted that they would release the eligible amount to the petitioner.

5. This Court, in various decisions, have already taken a view that in all



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cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioner is entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

6. Accordingly, the respondents are directed to pay the Earned Leave surrendered by the petitioners along with interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioners, from the date of their retirement till the date of actual disbursement within a period of eight weeks from the date of receipt of a copy of this Order.

7. With the above direction, this Writ Petition is disposed of. No costs.

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

N.SATHISH KUMAR, J.



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To

1.The Managing Director
The Tamil Nadu State Transport Corporation Limited
Coimbatore Division I
No.37, Mettupalayam Road
Coimbatore

2.The Administrator
Tamil Nadu Pension Trust
Pallavan Salai, Chennai

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