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W.P.No.30620 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30620 of 2023

K.Kesavan

...Petitioner

Vs

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

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Kancheepuram Regional Office,
Ponnerikkarai, Karapettai,
Chennai Bangaluru Highway,
Kancheepuram – 631 552.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the pending amount of difference of leave liability of Rs.57,172/-, difference of Gratuity of Rs.1,03,950/-, Rs.49,056/- of total surrender value of Earned Leave and Retirement Benefit Fund Scheme amount of



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Rs.17,550/- as communicated in Letter No.10667-11585(804)/PIO/TNSTC(V)2023, dated 15.09.2023 under Right to Information Act, 2005, along with interest at the rate of 4% per annum payable from the date of retirement in the light of the judgement made by this Court on 15.06.2023 in W.P.No.17792 of 2023.

For Petitioner : Mr.N.Ishak

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had retired from service from the respondent Corporation on 31.05.2022. His retirement benefits, except difference of leave liability, difference of Gratuity, surrender of Earned Leave and Retirement Benefit Fund Scheme, were settled. To an application made by the petitioner under the Right to Information Act, seeking for the pending payments, the respondents, in their reply dated 15.09.2023, had stated that the petitioner was entitled for difference of



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leave liability of Rs.57,172/-, difference of Gratuity of Rs.1,03,950/-, Rs.49,056/- of total surrender value of Earned Leave and Retirement Benefit Fund Scheme amount of Rs.17,550/-. However, the said benefits have not been settled to the petitioner till date. In this regard, the petitioner has also made a representation to the respondents on 06.10.2023.

3. In view of the admitted fact that the petitioner is eligible for the said amounts, which have not been paid till date, this Court is of the view that if the respondents are directed to settle the outstanding amount together with interest, the ends of justice could be secured.

4. In the light of the above observations, the first respondent herein is directed to pay the petitioner the pending payable amounts, together with interest at the rate of 6% from the date on which he would be eligible for such payment, till the date of actual disbursement, within a period of four weeks from the date of receipt of a copy of this order.



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M.S.RAMESH,J.

hvk

5. Accordingly, the Writ Petition stands disposed of. No costs.

30.10.2023

Index: Yes/No

Speaking order/Non-speaking order

hvk

To

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

2. The General Manager,
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