



W.P.No.30529 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.30529 of 2023

K.Thavasiappan

...Petitioner

Vs

The Management of Tamil Nadu State
Transport Corporation (Kovai) Ltd.,
Erode Region,
Rep. by its Managing Director,
Erode.

...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 the amount payable towards the encashment of 45 days of earned leave, surrendered by him in the years before this retirement as admitted by the respondent in the RTI information dated 12.09.2023, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18% interest from the date of his retirement, within a time frame.



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For Petitioner : Mr.V.Ajay Khose

For Respondent : Mr.M.Murali Vinodh,
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 had retired from service from the respondent Corporation on 31.05.2015. 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 12.09.2023, had stated that the petitioner was entitled for a sum of Rs.26,360/- 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.



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4. In the light of the above observations, the respondent is directed to pay the petitioner the unsettled benefits, 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.

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

30.10.2023

Index: Yes/No

Speaking order/Non-speaking order

hvk

To

The Managing Director,
Management of Tamil Nadu State
Transport Corporation (Kovai) Ltd.,
Erode Region, Erode.



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M.S.RAMESH,J.

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