



WEB COPY



W.P.No.30828 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30828 of 2023

K. Balasubramanian

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 40 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent in the RTI information dated 06.09.18, 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 as may be fixed by this Court.



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For Petitioner : Mr.V. Ajoy Khose

For Respondent : Mr.R. Gowtham Raj,
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 31.12.2016 on attaining the age of superannuation. His retirement benefits, except encashment of 40 days surrendered earned leaves, were settled. To an application made by the petitioner under the Right to Information Act, seeking for his eligible amount of surrendered earned leaves, the respondent, in their reply dated 06.09.2018, had stated that the petitioner is entitled for a sum of Rs.21,894/- towards 40 days of earned leaves surrendered by him.

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 encashment of 40 earned leaves surrendered by him, 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 (4) weeks from the date of receipt of a copy of this order.

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

31.10.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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To

The Management of Tamil Nadu
State Transport Corporation (Kovai) Ltd.,
Coimbatore Region,
Rep. by its Managing Director,
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M.S.RAMESH,J.

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