



W.P.No.32404 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32404 of 2023

M.Subramanian
S/o.Marappa Gounder

...Petitioner

Vs

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

...Respondent

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 his retirement as admitted by the respondent in the RTI information dated 29.09.23 either based on his monthly wages of the respective months of surrender of those earned leave, together with 18 percent interest p.a. from the respective due dates or based on the monthly wages payable on the month of his retirement together with 18 percent interest from the date of his retirement, within a time frame.

For Petitioner : Mr.V.Ajoy Khose



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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 31.03.2014 on attaining the age of superannuation. The amount for the earned leaves surrendered by him was not settled. To an application made by the petitioner under the Right to Information Act, seeking for the number of days and amounts due to him for surrendering the earned leaves, the respondents, in their communication dated 29.09.2023, had stated that the petitioner is entitled for a sum of Rs.25,528/- towards 45 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 amount towards the 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.

16.11.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

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



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M.S.RAMESH,J.

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