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W.P.No.3507 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.3507 of 2024

T.Vijayakumar

.... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Valundhareddy 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 Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pay the pending amount of difference of leave liability of Rs.42,660/-, difference of Gratuity of Rs.79,582/- and Rs.22,482/- of surrender value of Earned Leave as communicated in Letter No.10667-11833 (1072)/PIO/TNSTC(V) 2023 dated 21.11.2023 under Right to Information Act 2005 along with interest at the rate of 6% per annum payable from the date of retirement in the light of the



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judgment passed by this Court on 30.10.2023 in W.P.No.30620 of 2023 within the time that may be stipulated by this Court.

For Petitioner : Mr.N.Ishak
For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER

This Writ Petition has been filed for a direction directing the respondents to pay the pending amount of difference of leave liability of Rs.42,660/-, difference of Gratuity of Rs.79,582/- and Rs.22,482/- of surrender value of Earned Leave as communicated in Letter No.10667-11833 (1072)/PIO/TNSTC(V) 2023 dated 21.11.2023 under Right to Information Act 2005 along with interest at the rate of 6% per annum payable from the date of retirement in the light of the judgment passed by this Court on 30.10.2023 in W.P.No.30620 of 2023 within the time that may be stipulated by this Court.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner herein entered into services of the Respondent Transport Corporation as Conductor on 01.01.1995 and retired from service as Checking Inspector on 31.05.2022. His retirement benefits, except difference of leave liability, difference of Gratuity and surrender value of Earned Leave, were



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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 21.11.2023, had stated that the petitioner was entitled for difference of leave liability of Rs.42,660/-, difference of Gratuity of Rs.79,582/- and Rs.22,482/- of surrender value of Earned Leave. 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 12.12.2023.

4. 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.

5. 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.

6. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.



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16.02.2024
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Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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To

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G.K.ILANTHIRAIYAN. J.

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