



W.P.No.7606 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.7606 of 2023

1. M. Balakrishna Kumar

2. Vadivel

...Petitioners

Vs

1. The Tamil Nadu State Transport corporation Ltd.,
Coimbatore Division I
represented by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore.

2. The Administrator
Tamil Nadu Pension Trust,
Pallavan Salai, Chennai

3. The State of Tamilnadu,
represented by Secretary to Government,
Transport Department, Fort St.George,
Chennai.

(R3 suo motu impleaded bide order dated
25.04.2023 made in W.P.No.7606 by PDAJ)

...Respondents



W.P.No.7606 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to pay the encashment amount for earned leave along with interest to the petitioners and pass orders.

For Petitioners : Mr.D. Anand Raja

For Respondent-1 : Mr.A. Sundaravadanam,standing counsel

For Respondent -2 : Mr.C.S.K.Sathish, standing counsel

For Respondent -3 : Mr.Stalin Abhimanyu,
Additional Government Pleader

ORDER

The petitioners have filed this writ petition to issue a Writ of Mandamus directing the first respondent herein to pay the encashment amount for earned leave along with interest to the petitioners and pass orders.

2. The case of the petitioners are that they are retired employees from the Respondent/Corporation. The grievance of the petitioners is that the first respondent failed to settle the encashment of the earned leave inspite of the orders passed by this Court in W.P.no.15730 of 2021



W.P.No.7606 of 2023

to pay the terminal benefits of the petitioners. Therefore, the petitioners gave a representation to the first respondent on 23.09.2022 with regard to the said issue. However, no action has been taken by the respondent till date. Hence this petition.

3.The learned counsel for the petitioners submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioners representation and pass orders.

4. The learned standing counsel appearing for the second respondent submitted that they have not received funds from the Government, due to which they are able to settle the petitioners.

5. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioners and pass orders on the claim made by the petitioners within a period of twelve weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is



W.P.No.7606 of 2023

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made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

6. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

20.11.2024

Index: Yes/No

Speaking order/Non-speaking order

smn

To

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Pallavan Salai, Chennai

3. The Secretary to Government,
Transport Department, Fort St. George,
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W.P.No.7606 of 2023

V.BHAVANI SUBBAROYAN,J.

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W.P.No.7606 of 2023

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