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W.P.No.10235 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.BHARATHA
CHAKRAVARTHY**

Writ Petition No.10235 of 2024

P.Gunasekaran

... 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, for issuance of Writ of Mandamus, directing the respondent to pay the petitioner amount payable towards the encashment of 60 days of earned leaves, surrendered by him in the years before his retirement, as admitted by the respondent in the RTI information dated 05.03.2024, 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.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.M.Murali Vinoth
Standing Counsel



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ORDER

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This writ petition is filed seeking for a writ of mandamus directing the respondent to pay the petitioner amount payable towards the encashment of 60 days of earned leaves, surrendered by him in the years before his retirement, as admitted by the respondent in the RTI information dated 05.03.2024, 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.

2. Mr.M.Murali Vinoth, learned Standing Counsel takes notice for the respondent. He would submit that the information furnished under the Right to Information Act, 2005, which also annexed in the typed set of papers itself admits the liability. He would also submit that the same will be paid to the petitioner within a reasonable time as may be fixed by this Court.

3. Learned counsel for the petitioner submitted that, in all the



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connected matters, this Court has consistently allowed the payment with interest at the rate of 6% per annum.

4. In that view of the matter, this writ petition is disposed of on the following terms:

- 1) The respondent is directed to disburse the leave encashment benefits to the petitioner, to which he may be entitled to as per the Rules within a period of eight (8) weeks from the date of receipt of a copy of this order with interest at the rate of 6% per annum from the date on which the amounts became due till the date of disbursement;
- 2) If the amount is not paid within a period of eight (8) weeks, thereafter, the same shall carry the interest at the rate of 12% per annum from the date on which the amounts became due, till the date of disbursement.
- 3) No costs.

15.04.2024

Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

mp

To

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

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