



WEB COPY



W.P.No.10696 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10696 of 2024

C.Sekar

.. Petitioner

Versus

Tamilnadu State Transport Corporation (Kovai) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondent to pay the petitioner the amount payable towards the encashment of 45 days of earned leaves, surrendered by him in the years before his retirement as admitted by the respondent, 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.R.Krishnaswamy

For Respondent : Mr.M.Murali Vinodh,
Standing Counsel



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ORDER

This Writ Petition is filed seeking for a Writ of Mandamus for a direction to 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, either based on his monthly wages of the respective months of surrender of the Earned Leave, 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 Vinodh*, learned Standing Counsel for TNSCTC takes notice for the respondent. He would submit that the eligible amount 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 connected matters, this Court has consistently allowed the payment with interest at the rate of 6% per annum.



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4. In that view of the matter, this Writ Petition is disposed of on the following terms :-

(i) The respondent shall disburse the amount towards 45 days of Earned Leave surrendered by him in the years before his retirement to the petitioner if he is eligible 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 amount became due, till the date of disbursement.

(ii) 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 amount became due, till the date of disbursement.

(iii) There shall be no order as to costs.

18.04.2024
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Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To



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The Managing Director,
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore.

D.BHARATHA CHAKRAVARTHY, J.

grs

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