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W.P.No.12475 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12475 of 2024

M.Abdul Rasheed

.. 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, pleaded to issue a Writ of Mandamus directing the respondent to pay the petitioner the amount payable as wages towards 45 days of earned leaves surrendered by the petitioner, while he was in service and to pay a sum of Rs.13098/- towards the difference in wages, as admitted by the respondent in their RTI, together with 18% interest from the date of the petitioner's retirement, within a time frame as may be fixed by this Court.

For Petitioner : M/s.H.Nandhini
for Mr.R.Krishnaswamy

For Respondent : Mr.C.Gowthamaraj



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ORDER

This Writ Petition is filed seeking for a direction to the respondent to pay the amount payable as wages towards 45 days Earned Leave surrendered by the petitioner and also to pay a sum of Rs.13,098/- towards the difference in wages as admitted by the respondent in their R.T.I together with interest at 18% per annum.

2. *Mr.C.Gowthamaraj*, learned Counsel, taking notice for the respondent Corporation, would submit that as far as the Earned Leave surrender is concerned, the same will be considered as per the Rules and it will be paid and this Court has been ordering interest at the rate of 6% per annum in all the connected matters. As far as the difference in wage amount of Rs.13,098/- is concerned, the same became payable only after the retirement of the petitioner and since the petitioner also retired long back, interest need not be ordered as far as the said payment is concerned.

3. In view thereof, this Writ Petition is disposed of on the following terms:-



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(i) The respondent is directed to pay the amount payable as wages towards 45 days Earned Leave surrender to the petitioner as per his eligibility as per the Rules within 12 weeks from the date of receipt of a copy of this order along with interest at the rate of 6% per annum from the date on which the amount became due till the date of disbursement;

(ii) The respondent shall also pay the difference amount of Rs.13,098/- to the petitioner within 12 weeks from the date of receipt of a copy of this order;

(iii) If the amounts, as aforesaid, are not paid within 12 weeks from the date of receipt of a copy of this order, thereafter, the amounts shall be paid along with the further interest at the rate of 12% per annum from the date on which the amounts became due till the date of disbursement;

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

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Index : yes
Speaking order
Neutral Citation : no
grs

To

The Managing Director,



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Tamilnadu State Transport Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
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D.BHARATHA CHAKRAVARTHY, J.

grs

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