



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.25133 of 2024

S.Kumarasamy

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards encashment of 45 days of Earned Leave surrendered by the petitioner in the years before his retirement as admitted by the respondent either based on his monthly wages of the respective months of surrender of these Earned Leaves together with 18 percent interest per annum from the respective due dates or based on the monthly wages payable on the month of his retirement together with 18 percent interest from the date of his retirement within stipulated time as may be fixed by this Court.



For Petitioner : Mr.J.Titus Enock

For Respondent : Mr.C.Gouthamaraj
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent to pay the petitioner the amount payable towards encashment of 45 days of Earned Leave surrendered by the petitioner in the years before his retirement as admitted by the respondent either based on his monthly wages of the respective months of surrender of these Earned Leaves together with 18 percent interest per annum from the respective due dates or based on the monthly wages payable on the month of his retirement together with 18 percent interest from the date of his retirement within stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he was working in the respondent Corporation. He retired from service as “Driving Trainer” on 03.03.2018.

3.The grievance of the petitioner is that there was a delay in settling the terminal benefits. In view of the same, the petitioner has sought for payment of interest towards the delay in settlement of the terminal benefits. The petitioner in



this regard had made a representation to the respondent on 07.03.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4.Heard Mr.J.Titus Enock, learned counsel appearing on behalf of the petitioner and Mr.C.Gouthamaraj, learned Standing Counsel appearing on behalf of the respondent.

5.Taking into consideration the facts and circumstances of the case and the materials available on record, this writ petition is disposed of with a direction to the respondent Corporation to pay the eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. This payment shall be made within a period of six weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.



N. ANAND VENKATESH, J.

SSR

6.The petitioner is directed to submit a fresh representation to the respondent along with a copy of this order. No costs.

30.08.2024

Internet : Yes

(5/6)

Index : Yes

Speaking Order / Non Speaking Order

SSR

To

The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

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