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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24975 of 2024

1. S.Kavitha

2. Palaniyammal

3. Jeevitha

4. Kishore

... Petitioners

Vs.

1. The Managing Director
Tamil Nadu State Transport Corporation Limited,
37, Mettupalayam Road,
Coimbatore – 43

2. The General Manager,
Tamil Nadu State Transport Corporation Limited,
Erode Region, Chennaimalai Raod,
Erode – 638 001

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to settle the admitted amount of Rs.21,586/- by the 2nd respondent in the communication under the



Right to Information Act, dated 23.04.2024 towards the encashment of earned leaves, surrendered by the husband of the 1st petitioner along with 12% interest per annum.

For Petitioner : Mr.N.Palani Kumar
For Respondents : Mr.M.Murali Vinoth
Standing counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to settle the admitted amount of Rs.21,586/- by the 2nd respondent in the communication under the Right to Information Act, dated 23.04.2024 towards the encashment of earned leaves, surrendered by the husband of the 1st petitioner along with 12% interest per annum.

2. The petitioners are the wife, mother, son and daughter of the deceased C.Subramanian. The said C.Subramanian was working in the Respondent Transport Corporation and he died while he was in service on 07.05.2018 leaving behind the petitioners as legal heirs.



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3. The further case of the petitioners is that while settling the terminal benefits, the respondents failed to pay and settle the amount towards encashment of Earned Leave, which were surrendered by the said C.Subramanian. The petitioners made an application under the Right to Information Act and the respondents also provided the details of amount to be paid to the petitioner under this head through information dated 23.04.2024. Since the amount due and payable towards the encasement of earned leave was not paid to the petitioners, the present writ petition has been filed seeking for appropriate directions.

4. Heard Mr.N.Palani Kumar, learned counsel for the petitioner and Mr.M.Murali Vinoth, learned Standing counsel for respondent.

5. Taking into consideration the facts and circumstances of the case and the RTI information dated 23.04.2024 that was furnished to the petitioners, there shall be a direction to the respondent Corporation to settle the amount due and payable towards the encashment of earned leave, within a period of six



weeks from the date of receipt of a copy of this order with 6% interest from the date of retirement till the date of actual realisation. If there is any delay in settling the amount within the time frame fixed by this Court, the respondent Corporation will be liable to pay interest at the rate of 12% from the date of retirement till the date of actual realisation.

6. The petitioners are directed to make a fresh representation to the respondent along with a copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

02.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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To
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N. ANAND VENKATESH, J.

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