



WEB COPY



Writ Petition No.25296 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25296 of 2024

1.V.Balasubramanian
S/o.M.Venkatachalam

2.P.N.Pattappan
S/o.Nagappa Gounder

3.R.Sivasubramani

4.V.Kumaran
S/o.Velayutham

5.C.Guruswamy
S/o.Chennanjadevaru

... Petitioners

Vs.

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

2.The General Manager,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Chennimalai Road, Erode - 1.

... Respondents

Writ Petition filed under Article 226 of the Constitution of
India seeking issuance of a Writ of Mandamus directing the respondents



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to pay the admitted amount of Rs.78,916/- to the first petitioner, Rs.37,054/- to the second petitioner, Rs.23,164/- to the third petitioner, Rs.29,793/- to the fourth petitioner and Rs.19,427/- to the fifth petitioner towards encashment of earned leave surrendered by the petitioners along with 12% interest p.a. from the date of retirement within the time frame fixed by this Court.

For Petitioners : Mr.N.K.Ponraj

For Respondents : Mr.M.Murali Vinodh
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to pay the admitted amount of Rs.78,916/- to the first petitioner, Rs.37,054/- to the second petitioner, Rs.23,164/- to the third petitioner, Rs.29,793/- to the fourth petitioner and Rs.19,427/- to the fifth petitioner towards encashment of earned leave surrendered by petitioners along with 12% interest p.a. from the date of retirement.

2. Heard Mr.N.K.Ponraj, learned counsel for petitioners and Mr.M.Murali Vinodh, learned Standing Counsel appearing for respondents.



3. The case of the petitioners is that the petitioners are retired employees of the respondent corporation. The first petitioner retired from service on 14.05.2018 as Senior Assistant, the second petitioner retired from service on 06.06.2016 as Special Grade Conductor, the third petitioner retired from service on 09.03.2018 as Senior Tradesman, the fourth petitioner retired from service on 30.09.2015 as Conductor and the fifth petitioner retired from service on 30.11.2015 as Special Grade Conductor.

4. The grievance of the petitioners is that the respondents have not settled the encashment of earned leave surrendered by the petitioners. In view of the same, the petitioners made several requests to the respondents to pay the amount. Since the same was not considered, the petitioners made an application under the Right to Information Act, 2005. The respondents, by reply, have admitted that they have to pay the aforesaid amount to the petitioners. Even thereafter, the respondents have not come forward to pay the amount. Hence, the present writ petition has been filed.



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5. Taking into consideration the facts and circumstances of the case and the grievance expressed by the petitioners, there shall be a direction to the respondents to pay the eligible and admissible amount with interest at the rate of 6% p.a. for the belated payment to the petitioners within a period of six (6) 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 interest at the rate of 12% p.a. from the date on which the amount became due and payable till the date of actual realisation.

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

This Writ Petition is disposed of with the above direction. No costs.

02.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm



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To
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N.ANAND VENKATESH, J

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