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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24953 of 2024

B.Kalaiselvi

... Petitioner

Vs.

1.The Managing Director,

Tamil nadu State Transport Corporation (Villupuram) Limited,

Vazhuthareddy Post,

Salamedu, Villupuram – 605 602

2. The General Manager,

Tamil Nadu State Transport Corporation (Villupuram) Limited,

Vellore Region,

Vazhuthareddy, Vellore

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the leave encashment amount along with interest at the rate of 12% per annum within the stipulated time.



For Petitioner : Mr.J.Pradeep

For Respondents : Mr.R.Venkatesa Perumal
Standing counsel for R1 and R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay the leave encashment amount along with interest at the rate of 12% per annum for the delay period.

2. The case of the petitioner is that she was working as a Senior Superintendent in the 2nd respondent Corporation and the petitioner had retired from service after attaining the age of Superannuation on 27.02.2020.

3.The grievance of the petitioner is that she was not paid with the leave encashment amount. In view of the same, the petitioner has sought for payment of pending leave encasement amount along with interest towards the delay period. The petitioner in this regard had made a representation to the 2nd respondent on 18.07.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.



4. Heard Mr.J.Pradeep, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned Standing counsel for Respondents 1 and 2.

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 2nd 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.

6. The petitioner is directed to submit a fresh representation to the 2nd respondent along with a copy of this order. No costs.

02.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
rka



To

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