



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.25100 of 2024

K.Muthiyal

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu, Varuthareddy Post,
Villupuram – 605 602

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to reckon the calculation for the settlement of retirement benefits on the basis of the 7th pay commission vide G.O. Ms. No.313, Finance (Pay Cell) Department dated 25.10.2017 and clarification letter No.e file/ 1706/c 1/ 2023-1 dated 25.05.2023 issued by Govt and to pay the difference in payment of encashment of Leave Salary to the petitioner together with interest of 6 percent p.a. and the interest



on the belated payment CRBS amount from the date of retirement (31.08.2016)
to the date of settlement within a time limit.

For Petitioner : Mr.V.S.Jagadeesan

For Respondent : Mr.R.Venkatesa Perumal
Standing counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay the difference in payment of 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 he retired from service after rendering 30 years of service on attaining the age of superannuation on 31.08.2016.

3.The grievance of the petitioner is that there was some difference in settling the terminal benefits viz., Encashment of Leave Salary and CRBS amount. In view of the same, the petitioner has sought for payment of difference amount along with interest towards the delay period. The petitioner in this



regard had made a representation to the respondent on 09.08.2024. Since the same did not evoke any response, the present writ petition has been filed before this Court.

4. Heard Mr V.S. Jagadeesan, learned counsel for the petitioner and Mr. R. Venkatesa Perumal, learned Standing counsel for 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.



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

02.09.2024

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

To

The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
No.3/137, Salamedu, Varuthareddy Post,
Villupuram – 605 602



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