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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.31156 of 2024

R.Bakthavatsalam

... Petitioner

Vs.

The Managing Director
Tamil Nadu State Transport Corporation (CBE) Limited
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 a sum of Rs.85,954/- towards the encashment of 60 days of earned leaves surrendered by the petitioner while he was in service, with interest at the rate of 18 percent from the date of his retirement as admitted by the respondent in the RTI information dated 04.06.2024 within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Vijay Priyan

For Respondents : Mr.C.Goutham Raja
Standing counsel



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ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent to pay the petitioner a sum of Rs.85,954/- towards the encashment of 60 days of earned leaves surrendered by the petitioner while he was in service, with interest at the rate of 18 percent from the date of his retirement as admitted by the respondent in the RTI information dated 04.06.2024 within a time frame as may be fixed by this Court.

2.The case of the petitioner is that he was working as a Personal Management Trainee in the respondent Corporation from 01.01.1985. After completion of 28 years of service, he retired from service on 31.01.2013.

3.The further case of the petitioner is that while settling his terminal benefits, the respondents failed to pay and settle the amount towards 60 days of Earned Leave, which were surrendered by the petitioner on or before his retirement. The petitioner made an application under the Right to Information Act and the respondent also provided the details of amount to be paid to the petitioner under this head through information dated 04.06.2024. Since the amount due and payable towards the encasement of earned leave was not paid to



the petitioner, the present writ petition has been filed seeking for appropriate directions.

4. Heard Mr.G.Vijay Priyan, learned counsel for Mr.V.Ajay Khose, learned counsel for the petitioner and Mr.C.Goutham Raja, learned Standing counsel for respondent.

5. Taking into consideration the facts and circumstances of the case and the RTI information dated 04.06.2024 that was furnished to the petitioner, there shall be a direction to the respondent Corporation to settle the amount due and payable towards the encashment of 60 days 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.



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N. ANAND VENKATESH, J.

ssr

6.The petitioner is 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.

23.10.2024

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

To

The Managing Director
Tamil Nadu State Transport Corporation (CBE) Limited
37, Mettupalayam road,
Coimbatore – 641 043.

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