



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.25168 of 2024

N.Thanabalan

... Petitioner

Vs.

Tamil Nadu State Transport Corporation (Kovai) Ltd,
Re. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore.

... 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 him the amount payable as wages towards 60 days of earned leaves surrendered by him, while he was in service and to pay the amounts towards the STERBS Fund, as admitted by the respondent in their RTI, together with 18% interest from the date of petitioner retirement, within a time frame as may be fixed by this Court.

For Petitioner : Mr.C.Vijay Priyan

For Respondent : Mr.C.Gouthamaraj
Standing Counsel



WEB COPY

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent to pay him the amount payable as wages towards 60 days of earned leaves surrendered by him, while he was in service and to pay the amounts towards the STERBS Fund, as admitted by the respondent in their RTI, together with 18% interest from the date of petitioner retirement, within a time frame as may be fixed by this Court.

2.The case of the petitioner is that he was appointed as a Conductor in the respondent Corporation in the year 1992 and on completion of 28 years of service, he superannuated from service on 30.04.2020 while holding the post of “Senior Grade Conductor”.

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, and the STERBS Fund. 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 these heads through information dated 10.10.2019 and 18.12.2023. Since the amount due and payable towards the encasement of earned leave and STERBS Fund were not paid to the petitioner, the present writ petition has been filed seeking for appropriate directions.

4.Heard Mr.G.Vijay Priyan, learned counsel appearing on behalf of the petitioner and Mr.C.Gouthamaraj, learned Standing Counsel appearing on behalf of the respondent.

5.Taking into consideration the facts and circumstances of the case and the RTI information dated 10.10.2019 and 18.12.2023 that were furnished to the petitioner, there shall be a direction to the respondent Corporation to settle the eligible amount due and payable towards the encashment of 60 days earned leave and STERBS Fund, 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.



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.

29.08.2024

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order

ssr

(5/5)

To

Tamil Nadu State Transport Corporation (Kovai) Ltd,
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