



W.P.No.25736 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.25736 of 2024

Sathasivam K,
Senior Assistant (Compu.Optr) (Rtd),
PRNo.017407,
L.B.203 Ganapathy Maanagar,
Ganapathy, Coimbatore – 641 006.

.. Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore – 641 043.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to disburse the amount payable towards the encashment of 60 days of Earned Leave surrendered by the petitioner in the years before his retirement based on his monthly wages of the respective years of surrender of those Earned Leave together with 6% interest per annum from the respective due dates within a time frame as may be fixed by this Court.



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For petitioner : Mr.A.Rajendiran

For Respondent : Mr.C.Gowthamaraj
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to disburse the amount payable towards the encashment of 60 days of Earned Leave surrendered by the petitioner in the years before his retirement based on his monthly wages of the respective years of surrender of those Earned Leave together with 6% interest per annum from the respective due dates.

2.The case of the petitioner is that he joined as Security Guard at Cheran Transport Corporation viz., Government of Tamil Nadu undertaking on 12.06.1985 and he retired from his services on 31.05.2016 on attaining superannuation.

3.The grievance of the petitioner is that during the years 2009, 2010, 2011 and 2012, he surrendered earned leave for encashment of 15 days every year and the total value works out to Rs.36,034.50. Even after



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his retirement, the said earned leave encashment was not settled to the petitioner. Hence, the petitioner sent representation dated 01.08.2024 to the respondent seeking to take steps to settle his earned leave encashment with interest. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.

4.Heard the learned counsel for the petitioner and learned Standing Counsel for the 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 with interest at the rate of 6% per annum in settling the earned leave encashment. This payment shall be made 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 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.



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

04.09.2024

($\frac{1}{2}$)

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore – 641 043.



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N.ANAND VENKATESH, J.

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