



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26797 of 2024

J.Gavaran

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem – 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region,
Bharathipuram,
Dharmapuri.

... 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 and last 7 days salary along with interest at the rate of 12% per annum within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.K.Raja
Standing Counsel

ORDER



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This writ petition has been filed for the issue of writ of Mandamus directing the respondents to disburse the leave encashment amount and last 7 days salary along with interest at the rate of 12% per annum within the stipulated time as may be fixed by this Court.

2.The case of the petitioner is that he was working as a Conductor in the respondent Corporation. He retired from service on 31.05.2018 as “Selection Grade Senior”.

3.The grievance of the petitioner is that terminal benefits were belatedly paid. But, he was not paid leave encashment amount and last seven days salary. In view of the same, the petitioner has sought for payment of leave encashment amount and last seven days salary with 12% interest. The petitioner in this regard had made a representation to the 1st respondent on 19.08.2024. 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 petitioner and Mr.K.Raja, learned Standing Counsel for the respondents.



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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 1st 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 1st respondent along with a copy of this order. No costs.

12.09.2024

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



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N. ANAND VENKATESH, J.

SSR

To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem – 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
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