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W.P.No.27147 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27147 of 2024

C.Krishnamurthy
Staff No.CR 5869

.. Petitioner

Vs.

Tamil Nadu State Transport Corporation (Salem) Ltd.,
Rep. by its Managing Director,
No.12, Ramakrishna Salai, Salem – 636 007.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to settle 6% interest for the belated settlement of Rs.61,113/- paid towards earned leave encashment by the respondent to the petitioner herein by considering the representation of the petitioner herein dated 28.08.2024.

For petitioner : Mr.D.Soundar Raj

For Respondent : Mr.K.Raja
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus



directing the respondent to settle 6% interest for the belated settlement of Rs.61,113/- paid towards earned leave encashment to the petitioner by considering the representation of the petitioner dated 28.08.2024.

2.The case of the petitioner is that he joined as Conductor in the services of the respondent Corporation on 21.08.1994 and he retired from his services on 04.09.2020 on voluntary retirement.

3.The grievance of the petitioner is that after his retirement, his terminal benefits was paid to the petitioner only on 01.12.2022 after a delay of 16 months. The further grievance of the petitioner is that based on his representation dated 23.02.2023, his surrender of earned leave encashment was settled from the year 2009 to 2012 & 2018 without any interest. Hence, the petitioner sent representation dated 28.08.2024 to settle 6% interest for the belated payment. 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 the learned Standing Counsel for the respondent.



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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 respondent Corporation to pay the permissible amount to the petitioner with interest at the rate of 6% per annum for the delay period in settling the terminal benefits. 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.

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

20.09.2024

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

To

The Managing Director,



W.P.No.27147 of 2024

Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Salai, Salem – 636 007.

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N.ANAND VENKATESH, J.

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