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Writ Petition No.28457 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28457 of 2024

1. R.Sundararajan

2. A.Muruganandam

3. S.Manivannan

... Petitioners

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.3/137, Salamedu
Vizhupuram 605 602

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to pay a sum of Rs.98,936/-, 102231/- and Rs.93,458/- respectively towards surrendered Earned Leave salary which was surrendered in May 2018 and 2019 and November 2018 and 2019 with 10% interest to the petitioner.

For Petitioner : Mr. S.T.Varadarajalu
For Respondent : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER



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This writ petition has been filed for the issue of writ of Mandamus directing the respondent to pay a sum of Rs.98,936/-, 102231/- and Rs.93,458/- respectively towards surrendered Earned Leave salary which was surrendered in May 2018 and 2019 and November 2018 and 2019 with 10% interest to the petitioner.

2. The case of the petitioner is that he was initially joined the services of the respondent Corporation as Supervisor Trainee. After completion of 37 to 39 years of service, the petitioner retired from service on 30.06.2022 as “Selection Grade Assistant Engineers and Deputy Manager”.

3. The grievance of the petitioner is that even though he retired from service as early as in the year 2022, the respondent settled the terminal benefits only in the year 2023. However, the surrendered Earned Leave Salary in May 2018, May 2019, November 2018 and November 2019 were not settled till date. In view of the same, the petitioner submitted various representations to the respondents dated 19.08.2024, 20.08.2024 and 21.08.2024. Since the same did not evoke any response, the present writ petition has been filed.



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4. Heard Mr.S.T.Varadarajalu, learned counsel for the petitioner and Mr.R.Venkatesa Perumal, learned Standing Counsel for 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 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 respondent along with a copy of this order.

N.ANAND VENKATESH.,J

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7. This writ petition is disposed of with the above directions.

No costs.

30.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To

The Managing Director,

Tamil Nadu State Transport Corporation (Salem) Ltd.,

No.3/137, Salamedu

Vizhupuram 605 602

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