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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.30034 of 2024

G.Kowsalya

... Petitioner

Vs.

The Tamil Nadu State Transport Corporation Ltd,
Coimbatore Division I
rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore- 641 043.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to pay encashment of Earned leave surrendered by the petitioner along with interest, to the petitioner.

For Petitioner : Mr.D.Anand Raja

For Respondent : Mr.C.Gouthamaraj
Standing Counsel



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ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent herein to pay encashment of Earned leave surrendered by the petitioner along with interest.

2.The case of the petitioner is that he was working in the respondent Corporation. After completion of her service, she retired from service on 31.12.2020.

3.The further case of the petitioner is that while settling his terminal benefits, the respondents failed to pay and settle the amount towards Earned Leave, which were surrendered by the petitioner on or before his retirement. 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 this head through information dated 07.04.2023. Since the amount due and payable towards the encasement of earned leave was not paid to the petitioner, the present writ petition has been filed seeking for appropriate directions.



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4. Heard Mr.D.Anand Raja, learned counsel for the petitioner and Mr.C.Gouthamaraj, learned Standing counsel for respondents.

5. Taking into consideration the facts and circumstances of the case and the RTI information dated 07.04.2023 that was furnished to the petitioner, there shall be a direction to the respondent Corporation to settle the amount due and payable towards the encashment of earned leave, 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.

6. The petitioner is directed to make a fresh representation to the respondent along with a copy of this order.



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N. ANAND VENKATESH, J.

ssr

7.This writ petition is disposed of with the above directions. No costs.

15.10.2024

Internet : Yes

(1/2)

Index : Yes

Speaking Order / Non Speaking Order

ssr

To

The Tamil Nadu State Transport Corporation Ltd,
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