



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29535 of 2024

1.P.Sampath Kumar

2.P.Nagarajan

3.A.Thangavelu

4.M.Thangavel

5.A.Rangasamy

... Petitioners

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore 641 043.

2.The General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Chennimalai Road,
Erode – 1.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the admitted



amount of Rs.33,679/- to the 1st Petitioner, Rs.22,862/- to the 2nd Petitioner, Rs.20,653/- to the 3rd Petitioner, Rs.40,125/- to the 4th Petitioner and Rs.20,911/- to the 5th Petitioner towards Encashment of Earned Leave surrendered by the petitioners along with 12 percent interest per annum from the date of retirement within the time frame fixed by this Court.

For Petitioner : Mr.N.K.Ponraj

For Respondents : Mr.M.Murali Vinodh
Standing counsel

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay the admitted amount of Rs.33,679/- to the 1st Petitioner, Rs.22,862/- to the 2nd Petitioner, Rs.20,653/- to the 3rd Petitioner, Rs.40,125/- to the 4th Petitioner and Rs.20,911/- to the 5th Petitioner towards Encashment of Earned Leave surrendered by the petitioners along with 12 percent interest per annum from the date of retirement within the time frame fixed by this Court.



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2.The case of the petitioners is that they were working in the respondent Corporation in various posts. The 1st petitioner retired from service on 31.03.2014 as Senior Tradesman, the 2nd petitioner retired from service on 31.03.2018 as Special grade Conductor, the 3rd petitioner retired from service on 31.05.2017 as Special Grade Driver, the 4th petitioner retired from service on 30.04.2013 as Senior Checking Inspector and the 5th petitioner retired from service on 30.09.2013 as Selection Grade Driver respectively.

3.The further case of the petitioners is that while settling the terminal benefits, the respondents failed to pay and settle the amount for encashment of Earned Leave, which were surrendered by the petitioners on or before his retirement. The petitioners 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 01.08.2024, 17.08.2024 and 22.08.2024 respectively. Since the amount due and payable towards the encasement of earned leave was not paid to the petitioners, the present writ petition has been filed seeking for appropriate directions.



4. Heard Mr.N.K.Ponraj, learned counsel for the petitioners and Mr.M.Murali Vinodh, learned Standing counsel for respondents.

5.Taking into consideration the facts and circumstances of the case and the RTI information dated 01.08.2024, 17.08.2024 and 22.08.2024 respectively that was furnished to the petitioners, there shall be a direction to the respondent Corporation to settle the eligible 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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7. This writ petition is disposed of with the above directions. No costs.

03.10.2024

Internet : Yes

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Index : Yes

Speaking Order / Non Speaking Order
ssr

To

1.The Managing Director,
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2.The General Manager,
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N. ANAND VENKATESH, J.

ssr

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