



WEB COPY



W.P.No.28745 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.28745 of 2024

R.Chandran,
Superintendent (Retd),
PR No.9512,
92, Vinayagar Kovil Street,
Thudiyalur, Coimbatore – 641 034.

.. Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore – 641 043.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to disburse the Earned Leave surrender amount for the 60 days of Earned Leave surrendered by the petitioner during the years 2009 to 2012 based on his monthly wages of the respective years of surrender along with 12% interest for the delayed amount payable to him within the stipulated time to be fixed by this Court.

For petitioner : Mr.A.Rajendiran

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 to disburse the Earned Leave surrender amount for the 60 days of Earned Leave surrendered by the petitioner during the years 2009 to 2012 based on his monthly wages of the respective years of surrender along with 12% interest for the delayed amount payable to him within the stipulated time to be fixed by this Court.

2.The case of the petitioner is that he joined the services of the respondent Corporation in the year 1983 and retired from his service on 30.04.2017.

3.The grievance of the petitioner is that the respondent Corporation failed to make payment for the EL surrender during the years 2009 to 2012 for 4 years even after his retirement. Hence, the petitioner sent representation dated 31.08.2024 to the respondent seeking for payment of Earned Leave surrender with interest. Since the same did not evoke any response, the petitioner has come with the present writ petition for the relief sought for above.



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4.Heard the learned counsel for the petitioner and the learned

Standing Counsel for the 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 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.

27.09.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

N.ANAND VENKATESH, J.



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To

The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore – 641 043.

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