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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.10.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**W.P.No.30823 of 2024**

1.R.Gunasekaran

2.K.Siva Kumar

3.T.Thangaraj

4.K.Arumugam

5.A.Natarajan

... Petitioners

**Vs.**

1.The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
37, Mettupalayam Road,  
Coimbatore – 43.

2.The General Manager,  
Tamil Nadu State Transport Corporation Ltd.,  
Erode Region, Chennimalai Road,  
Erode – 638 001.

... Respondents

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



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amount by the 2nd respondent in the communication under the Right to Information Act Towards the Encashment of Earned Leaves Surrendered by the petitioners along with 12% interest p.a within a time frame as may be fixed by this Court.

For Petitioner : Mr.N.Senthilkumar

For Respondents : Mr.M.Murali Viondh  
Standing counsel

### **ORDER**

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to settle the admitted amount by the 2nd respondent in the communication under the Right to Information Act Towards the Encashment of Earned Leaves Surrendered by the petitioners along with 12% interest p.a within a time frame as may be fixed by this Court.

2.The case of the petitioners is that they were working in the transport corporation and they have all rendered service for nearly 30 years. They have retired from service between 2015 and 2018.

3.The further case of the petitioners is that while settling his terminal



benefits, the respondents failed to pay and settle the amount towards the 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 respondents also provided the details of amount to be paid to the petitioners under this head through information dated 23.04.2024, 14.06.2024, 01.08.2024 & 19.09.2024, 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.Senthilkumar, learned counsel learned counsel for the petitioner and Mr.M.Murali Viondh, learned Standing counsel for respondents.

5.Taking into consideration the facts and circumstances of the case and the RTI information dated 23.04.2024, 14.06.2024, 01.08.2024 & 19.09.2024, respectively that were furnished to the petitioners, 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 petitioners are directed to make a fresh representation to the respondent along with a copy of this order.

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

**23.10.2024**

Internet : Yes

(2/2)

Index : Yes

Speaking Order / Non Speaking Order  
ssr

To

1.The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
37, Mettupalayam Road,  
Coimbatore – 43.

2.The General Manager,  
Tamil Nadu State Transport Corporation Ltd.,



Erode Region, Chennimalai Road,  
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**N. ANAND VENKATESH, J.**

ssr

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