



WEB COPY



W.P.No.33328 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33328 of 2024

C.Sivaprakasam

...Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram - 605 602.

2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Vellore Region,
Rangapuram, Vellore - 632009.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to disburse the leave encashment benefits to the petitioner which he entitled for the periods of 05/2018 and 08/2019 with interest at the rate of 8% per annum from the said date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.



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For Petitioner : Mr.J.Lakshminarayanan

For Respondents : Mr.R.Venkatesa Perumal

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the Respondents to disburse the leave encashment benefits to the petitioner which he entitled for the periods of 05/2018 and 08/2019 with interest at the rate of 8% per annum from the said date of entitlement to till the date of actual disbursement within a time limit to be stipulated by this Court.

3. The case of the petitioner is that the petitioner was working a Special Grade Driver, Vellore Region and retired from service. He has not been provided with his leave encashment benefits to the tune of Rs.23,367/- for the period of May, 2018 and a sum of Rs.25,870/- for the period of August,2019 which he was entitled immediately after his



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retirement. Since the aforesaid benefit was not disbursed to the petitioner, he sought for information under the Right to Information Act. In response to the same, amount due to the petitioner were furnished to him on 18.09.2024. On receipt of the same, he submitted a detailed representation dated 27.09.2024 requesting the respondents to disburse the leave encashment benefits for the respective period with interest at the rate of 8% p.a. for the said belated payment. However, no action has been taken by the respondent till date. Hence this petition.

4.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned counsel appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

6. Considering the facts of the case, this Court on submission



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made by either side counsel directs the respondents to consider the representation of the petitioner and pass orders on the claim made by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order. With regard to interest for the belated payment it will be 6% interest per annum interest from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order

msv



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V.BHAVANI SUBBAROYAN,J.

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