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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.32349 of 2024

K.Subramanian

... Petitioner

Vs.

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

2. The General manager,
Tamil Nadu State Transport Corporation Limited,
Erode Region, Chennaimalai 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 amount admitted by the 2nd respondent in the communication dated 29.08.2022 under the Right to Information Act towards the Encashment of Earned leave, surrendered by the petitioner along with 12% interest per annum within a time frame fixed by this Court.



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For Petitioner : Mr.N.Senthil Kumar
For Respondents : Mr.M.Murali Vinodh
Standing counsel for R1 and R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay the amount payable towards the Encashment of Earned leave surrendered by the petitioner with interest at the rate of 12% per annum from the date of retirement till the date of actual payment.

2. The case of the petitioner is that he was appointed in the respondent Corporation and after completion of 20 years of service, he voluntarily retired from service as “Senior Superintendent” on 30.09.2020.

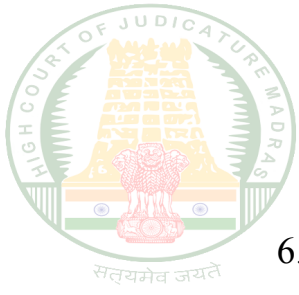
3. The further case of the petitioner is that while settling his terminal benefits, the respondents failed to pay and settle the amount towards Earned Leave, which were surrendered by the petitioner on or before his retirement. The petitioner made an application under the Right to Information Act and the respondent also provided the details of amount to be paid to the petitioner under



this head through information dated 29.08.2022. 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.

4. Heard Mr.N.Senthil Kumar, learned counsel for the petitioner and Mr.M.Murali Vinodh, learned Standing counsel for Respondents 1 and 2.

5. Taking into consideration the facts and circumstances of the case and the RTI information dated 29.08.2022 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, if he is eligible, 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.



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

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

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Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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To

1. The Managing Director,
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N. ANAND VENKATESH, J.

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