



W.P.No.34726 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.34726 of 2024

D.Thangaraj

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport
Corporation(Villupuram) Ltd.,
No.3,/137, Salamedu,
Vizhupuram-605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Ltd.,
Vellore Region,
Rangapuram, Vellore-632 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to disburse the leave encashment benefits to the petitioner which he entitled for the periods of 05/2018 & 05/2019 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.

For Petitioner : Mr.P.Mohanraj



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For Respondents : Mr.Venkatesha Perumal,
Standing Counsel

ORDER

This writ petition is filed to direct the respondents to disburse the leave encashment benefits to the petitioner which he entitled for the periods of 05/2018 & 05/2019 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.

2. The case of the petitioner is that he was Special Grade Driver in the respondent Corporation and retired from service on 31.05.2022.

3. The grievance of the petitioner is that he has not been paid the leave encashment benefits of Rs.23,367/- for the period of 05/2018 and Rs.25,142/- for the period of 05/2019, totally for a sum of Rs.48,509/-. Hence, the petitioner sent representation dated 10.09.2024 to the respondents seeking for payment of leave encashment benefits with interest. Since the representation of the petitioner is not considered by the respondents, he has filed this writ petition before this Court.



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4. The learned counsel for the petitioner also submitted that in similar case, this Court in W.P.No.30247 of 2024 dated 15.10.2024 had considered the case of the petitioner.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. 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 respondents to pay the eligible amount with interest at the rate of 6% per annum for the delay period in settling the terminal benefits. 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.

7. In the result, the writ petition stands disposed of with the above observation and direction. No costs.

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ssn

Index : Yes/No

Speaking/Non Speaking order



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J.SATHYA NARAYANA PRASAD, J.,

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