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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.7374 of 2025

K.Sundaram

.. Petitioner

Vs.

The Management of Tamil Nadu State Transport Corporation (Kovai) Ltd,
Erode Region,
Rep. by its Managing Director,
Erode.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pay the petitioner the amount payable towards the encashment of 45 days of earned leave surrendered by him in the years before his retirement, as admitted by the respondent in the RTI information dated 18.11.2024, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest p.a from the respective due dates or based on the monthly wages payable on the month of his retirement, together with 18% interest from the date of his retirement, within a time frame as may be fixed by this Court.



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For Petitioner (s) .. Mr.V.Ajoy Khose

For Respondent (s) .. Mr.M.Murali Vinodh,
Standing Counsel

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondent to pay the amount towards encashment of earned leave surrendered by the petitioner during his service together with interest at 18% per annum.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined the respondent Corporation on 09.06.1981 as Conductor and retired from service on attaining the age of superannuation on 31.07.2013. The petitioner was serving as Special Grade Conductor. It had been stated that there has been a delay in payment of earned leave surrender amount. In this connection, the petitioner had given a representation dated 03.01.2025.

3.Heard the learned Standing Counsel for the respondent.



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4.A direction is given to the respondent to examine the service register of the petitioner and determine whether the encashment of the earned leave surrendered had been paid to the petitioner and if not paid, pay the same with interest at 6% per annum from the date of retirement till date of actual disbursement. The entire proceedings must be completed within a period of three months from the date of receipt of a copy of this order. If there is a delay beyond three months, then the rate of interest would be 12% per annum from the date of retirement till date of actual disbursement.

5. With the above observations, this Writ Petition stands disposed of.

No costs.

03.03.2025

Index: Yes/No

Internet: Yes/No

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To
Managing Director
The Management of Tamil Nadu State Transport Corporation (Kovai) Ltd,
Erode Region,
Erode.



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C.V.KARTHIKEYAN,J.

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