



W.P.No. 7028 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 27.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.7028 of 2025

S, Muthukumar

... Petitioner

VS

The Management of
Tamilnadu 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 appropriate Writs, Orders or Directions and in particular issue a Writ of Mandamus directing the respondent to pay the petitioner the amount payable towards the encashment of 60 days of earned leave surrendered by him in the years before his retirement, as admitted by the respondent in the RTI information dated 13.12.21, either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18% interest per annum 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.



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For Petitioner
For Respondent

: Mr. V. Ajoy Khose
: 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 payable towards encashment of Earned Leave surrendered by the petitioner during his service and as admitted by the respondent in their information provided under the Right to Information Act. The petitioner also claims that the said amount may be disbursed with interest.

2. In the affidavit filed in the support of the writ petition it had been stated that the petitioner had been appointed under the respondent and retired on attaining the age of superannuation. At that time when the petitioner retired, the earned leave which had been surrendered by him had not been paid and it is contended by the learned counsel for the petitioner that the respondent pleaded that there was no funds available to make such payment. Now the amount has been admitted in the reply given to the Right to Information Act. This Writ Petition has been filed for disbursement of the said amount together with interest.



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3. A direction is given to the respondent to examine the Service Records of the petitioner and find out whether encashment of Earned Leave had been paid to the petitioner and if not paid, pay the same within a period of three months from the date of receipt of a copy of this order together with interest at the rate of 6% per annum from the date of retirement till the date of actual disbursement. If the respondent fails to comply with the direction to pay the amount together with interest at the rate of 6% per annum within a period of three months as stipulated, then, the amount would carry 12% interest from the date of retirement till the date of actual disbursement.

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

No costs.

27.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

Bga

To

The Management of

Tamilnadu State Transport Corporation (Kovai) Ltd.,

Erode Region, Rep. by its Managing Director, Erode.



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