



WEB COPY



W.P.No.34789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.No.34789 of 2025

M.Subramaniam

...Petitioner

Vs.

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

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the petitioner the amounts, payable towards the encashment of 15 days of earned leaves surrendered by him in the years before his retirement and Employees Retirement Benefits Scheme, as admitted by the respondent in the RTI Information dated 09.07.2025 and 17.07.2025, together with 18% interest from the respective due dates, within a time frame as may be fixed by this Hon'ble court.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.M.Murali Vinoth, Standing Counsel



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ORDER

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2. Mr.M.Murali Vinoth, learned Standing Counsel takes notice on behalf of the respondent. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that he joined the services of the Respondent Transport Corporation as a Driver on 21.07.1985 and after completion of 32 years of service, he retired from service on 31.03.2017 as a Special Grade Driver, on attaining the age of superannuation. While so, though the petitioner surrendered 15 days of his earned leaves, the respondent has not settled the amount payable towards those surrendered earned leaves and the petitioner was also not paid with Employees



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Retirement Benefit Scheme (in short 'ERBS') dues. Hence, the petitioner made applications under the Right to Information Act, seeking information regarding the dues under the encashment of Earned Leaves surrendered by him and ERBS dues. In response to the said applications, the respondent, vide communications dated 09.07.2025 and 17.07.2025 respectively furnished the following details:-

Information sought	Reply
ERBS dues	Rs.17,150/-
Earned leave dues	Rs.11,115/- (15 days)

4. Despite acknowledging that the petitioner is entitled to the amounts mentioned above, the respondent has not come forward to clear the dues. Hence, the present writ petition has been filed by the petitioner, seeking to settle the amount admitted under the Right to Information Act towards the Encashment of Earned Leave surrendered by the petitioner and ERBS dues, along with 18% interest per annum.

5. Heard the learned counsel on either side and perused the records.



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6. On perusal of the papers, it is evidently clear that the petitioner is entitled to the amounts mentioned supra. Therefore, a mandamus is issued to the respondent to settle the amount, as admitted under the Right to Information Act, towards the encashment of earned leave surrendered by the petitioner and Employees Retirement Benefit Scheme dues, along with 6% interest per annum, from the date on which the amount became due and payable till the date of actual disbursement of the same to the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that if the amount is not paid within the time frame fixed by this Court, it will fetch interest at the rate of 9% p.a. from the date on which the amount became due and payable till the date of actual realisation.

7. Accordingly, this Writ petition stands disposed of. No costs.

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(1/6)

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

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To:

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



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A.D.JAGADISH CHANDIRA, J.

skt

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