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W.P.No.36458 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.36458 of 2024

P.Mohan

... Petitioner

Versus

1. The Managing Director,
Tamilnadu Civil Supply Corporation (TNCSC)
Chennai Metro Rail Campus, Koyambedu,
Chennai – 600 107

2. The Senior Regional Manager
Tamilnadu Civil Supply Corporation,
Collectorate Campus,
Nagapattiam, Nagapattinam District

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to give 18% interest for the delayed the disbursal of the leave salary (8 years – 1 months – 25 days) within a stipulated period, as that of similarly placed person, as per the Hon'ble Supreme Court Order (1994) 6 SCC 589 and W.A.(MD) No.1286 of 2012.

For Petitioner : Mr.R.Lakshmanan

For Respondents : Mr.C.Selvaraj for R1 and R2
Additional Government Pleader



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ORDER

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The present Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus directing the respondents to give 18% interest for the delayed disbursal of the leave salary (8 years – 1 months – 25 days) within a stipulated period, as that of similarly placed person, as per the Hon'ble Supreme Court Order (1994) 6 SCC 589 and W.A.(MD) No.1286 of 2012.

2. The case of the petitioner is that the petitioner is a retired employee from the Respondents/Corporation. The grievance of the petitioner is that the respondents settled the leave salary with a delay of more than 8 years, therefore, the petitioner has made a request with the respondents to disburse the interest for the belated payment, but the respondents have not turned up. Therefore, the petitioner submitted representation to the respondents on 18.10.2024 with regard to the said issue. However, no action has been taken by the respondents till date. Hence this petition.

3. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.



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4. The learned standing counsel appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest per annum as per the earlier orders of this Court.

5. Considering the facts and circumstances of the case and taking note of the submissions made on either side, this Court directs the respondents to consider the representation of the petitioner and pass orders on the claim made by the petitioner within a period of eight weeks from the date of receipt of a copy of this Order with 6% interest per annum from the date on which the amount became due and payable till the date of disbursement. It is made clear that if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

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

No order as to costs.

28.01.2025

Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No

ssd



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To

1. The Managing Director,
Tamilnadu Civil Supply Corporation (TNCSC)
Chennai Metro Rail Campus, Koyambedu,
Chennai – 600 107
2. The Senior Regional Manager
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V.BHAVANI SUBBAROYAN, J.

ssd

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