



W.P.No.38711 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.38711 of 2024

R. Selvaraj

...Petitioner

Vs

The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

...Respondent

PRAYER: 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 amount payable towards encashment of 45 days of Earned Leave surrendered by the petitioner in the years before petitioner's retirement as admitted by the respondent either based on his monthly wages of the respective months of surrender of these Earned leaves together with 18% interest per annum from the respective due dates or based on the monthly wages payable on the month of petitioner's retirement together with 18% interest from the date of petitioner's retirement within stipulated time as may be fixed by this Hon'ble Court and pass orders.



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For Petitioner : Mr.M. Karthik
For Respondents : Mr.C.Gauthamaraj
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondent to pay the petitioner the amount payable towards encashment of 45 days of Earned Leave surrendered by the petitioner in the years before petitioner's retirement as admitted by the respondent either based on his monthly wages of the respective months of surrender of these Earned leaves together with 18% interest per annum from the respective due dates or based on the monthly wages payable on the month of petitioner's retirement together with 18% interest from the date of petitioner's retirement and pass orders.

3.The case of the petitioner is that the petitioner retired from the respondents Corporation on 31.07.2013. The grievance of the petitioner is that the respondent has not paid earned leave salary for a period of 45



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days. Therefore, the petitioner gave a representation to the respondents on 03.11.2024. However, no action has been taken by the respondents till date. Hence this petition.

4.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.

5. 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 P.A as per the earlier orders of this Court.

6.Considering the facts of the case and the submissions made by either side counsel, this Court directs the Respondent/Corporation to pay the eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount. This payment shall be made within a period of eight 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 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.



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

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order
smn

To

The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
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V.BHAVANI SUBBAROYAN,J.

Smn

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