



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 2269 and 2271 of 2026

P.krishnasamy
T.Kamaraj

Petitioner in WP. No.2269 of 2026
Petitioner in WP. No.2271 of 2026

Vs

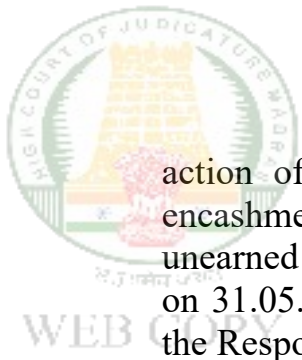
1. Government of Tamil nadu
Rep by its Principal Secretary to
Government
Handlooms, handicrafts, Textiles and
Khadi Department,
Fort St. George, Chennai 600 009

2.The Chief Executive officer
Tamil Nadu Khadi And Village
Industries Board, Kuralagam,
Chennai 600 108

Respondent(s)

PRAYER in WP No. 2269 of 2026; Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Declaration, declaring that the action of the Respondents in not paying the commuted value of pension, encashment of earned leave (HRA and CCA Component) and encashment of unearned leave on private affairs to the Petitioner consequent to his retirement on 30.04.2022 as illegal, arbitrary and contrary to law and consequently direct the Respondents to pay commuted value of pension, encashment of earned leave (HRA and CCA Component) and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this honble Court along with interest at the rate of 10 percent per annum from the date when the terminal benefits became due till the date of actual disbursement.

PRAYER in WP No. 2271 of 2026; Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Declaration, declaring that the



action of the Respondents in not paying the commuted value of pension, encashment of earned leave (HRA and CCA Component) and encashment of unearned leave on private affairs to the Petitioner consequent to his retirement on 31.05.2019 as illegal, arbitrary and contrary to law and consequently direct the Respondents to pay commuted value of pension, encashment of earned leave (HRA and CCA Component) and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this honble Court along with interest at the rate of 10 percent per annum from the date when the terminal benefits became due till the date of actual disbursement.

For Petitioner(s): Mr.Balan haridas
For Respondent: Mr.S.Balamurugan, GA R1
Mr.C.Rajakumar R2

COMMON ORDER

These writ petitions have been filed for declaration declaring that the action of the respondents in not paying the commuted value of pension, Death cum Retirement Gratuity, encashment of earned leave and encashment of unearned leave on private affairs to the respective petitioners as illegal and also to direct the respondents to pay the same with interest.

2. The issue that arises for consideration in these writ petitions is one and the same and therefore, this Court is inclined to pass a common order.

3. The petitioner in these writ petitions have joined in the service of the 2nd respondent and retired from service on attaining the age of superannuation, on various dates respectively. The petitioners were duly relieved from their respective services. Though the petitioners were sanctioned in respect of pension, the respondents failed to pay the commuted value of pension and



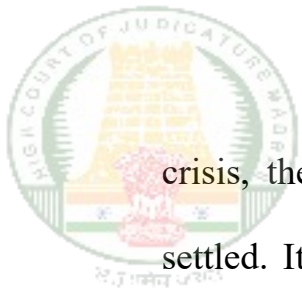
Death cum Retirement Gratuity. Apart from the said amounts, the 2nd respondent ought to have settled dues towards encashment of earned leave and encashment of unearned leave. However, the petitioners were not settled any amount including the sanctioned amount.

4. Heard the learned counsel appearing on the either side and perused the materials placed before this Court.

5. Learned Standing Counsel appearing for the 2nd respondent submits that the 2nd respondent has addressed various letters to the 1st respondent for allotment of funds and the same was also informed to the petitioners. Further, he submits that only on allocation of funds, the 2nd respondent will be in a position to settle the dues of the petitioners, as per their seniority. Hence, he prays for issuance of appropriate directions by this Court as well as to stipulate any time frame.

6. Learned Special Government Pleader appearing for the 1st respondent submitted that due to financial crisis, the 1st respondent is unable to mobilize funds and steps will be taken, shortly to sort out the grievances of the petitioners. However, he has no objection for issuance of appropriate directions by this Court in the above regard.

7. Based on the aforesaid submissions, it is evident that due to financial



crisis, the retiral benefits / terminal benefits due to the petitioners were not settled. It could be seen that the petitioners herein were retired from service prior to four years and the reason of financial distress cannot serve as a ground for making this kind of belated payments. Therefore, the said reason cannot be accepted by this Court and the petitioners, who were retired personnel-s financial position have to be kept in mind.

8. In such view of the matter, the 1st respondent is directed to allot necessary funds to the 2nd respondent for settling dues to the petitioners, within a period of six weeks from the date of receipt of a copy of this order. On such receipt, the 2nd respondent is directed to disburse the dues of the petitioners forthwith with applicable interest.

9. With the above directions, both the writ petitions are allowed. No costs.

28-01-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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Government Handlooms, handicrafts,
Textiles and Khadi Department, fort St.
George, chennai 600 009

2. The Chief Executive officer
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