



WEB COPY

WP No. 22543 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-06-2026**

CORAM

**THE HON'BLE MS. JUSTICE P.T. ASHA**

**WP No. 22543 of 2026**  
**WMP No. 24457 of 2026**

DR.M.Jeyasekar  
S/o.Late V.Manas,  
No.2/5c, The ARK Josai Nagar, marthandam,  
kanniyakumari District - 629165.

..Petitioner(s)

Vs

1. The Government Of Tamil Nadu  
Represented by its secretary, P and AR  
Department, (presently Human Resources  
Management Department), Forst St.George,  
chennai - 600009.
2. The Registrar  
Tamilnadu Agricultural University,  
Coimbatore, Coimbatore District - 641003.
3. The Comptroller  
Tamilnadu Agricultural University, coimbatore,  
coimbatore District - 641003.

..Respondent(s)

**PRAYER:** The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of certiorarified Mandamus, to call for the records relating to the order of the third respondent in his proceedings in No. COMPT/CPRS/Dr.M.J/Prof (Retd)/SLS/2025 dated 14.10.2025 and quash the same and direct the respondents 1 to 3 to sanction and pay forthwith the earned leave surrender salary upto 15.04.2020 (15 days) as per rule 7A of the Tamilnadu leave rules 1933.



For Petitioner(s):

M/s.P.Ebenezer Paul

For Respondent(s):

Mr.A.R.Balaji, Government Advocate

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**ORDER**

This Writ Petition has been filed seeking to quash the impugned proceedings of the third respondent in No.COMPT/CPRS/Dr.M.J/Prof (Retd)/SLS/2025 dated 14.10.2025 and consequently, direct the respondents 1 to 3 to sanction and pay forthwith the earned leave surrender salary upto 15.04.2020 (15 days) as per rule 7A of the Tamilnadu Leave Rules, 1933.

2. The case of the petitioner is that he served in the Agricultural Department from 09.05.1984 till his retirement on 30.06.2020 with an unblemished service record. Prior to his retirement, he applied for surrender of 15 days of earned leave, which was duly sanctioned on 27.04.2020. However, owing to G.O.Ms.No.48, Personnel and Administrative Reforms Department, dated 27.04.2020, issued during the COVID-19 pandemic, the payment of earned leave surrender salary was withheld. Though the petitioner was subsequently paid pension, DCRG and other retrial benefits, the earned leave surrender salary was not paid. After the Government restored the scheme of earned leave encashment through G.O.Ms.No.35, dated 30.06.2025, the petitioner submitted representations seeking payment of the sanctioned amount. However, his request was rejected by the respondents. Aggrieved by the



rejection and non-payment of the earned leave surrender salary, despite the restoration of the scheme, the petitioner has approached this Court seeking appropriate relief.

3. Heard the learned counsel on both sides and perused the materials available on record.

4. A perusal of the records reveals that the request of the petitioner for payment of 15 days' of earned leave salary was rejected on the ground that the benefit conferred under G.O.Ms.No.35 Human Resources Management (FR-II) Department, dated 30.06.2025, cannot be extended to retired employees. However, the records disclose that the petitioner had submitted his application for surrender of 15 days' of earned leave on 20.04.2020 while he was in service. The petitioner thereafter retired from service on 30.06.2020. Therefore, the reason assigned in the impugned order for rejecting the petitioner's claim cannot be sustained. Further, a reading of G.O.Ms.No.35, Human Resources Management (FR-III) Department, dated 30.06.2025, reveals that the following orders have been issued:

*3. Based on the above announcement made by the Hon'ble Chief Minister, the Government issue the following orders:-*

*(i) the Earned Leave surrender system be restored with effect from 01.10.2025;*

*(ii) the encashment of Earned Leave for 15 days in a year be allowed to Government Employees and Teachers as per their regular*



*annual cycle according to the due date prior to the suspension of the facility on 27.04.2020;*

*(iii) the Government Employees who have joined service between the period from 27.04.2020 to 30.09.2025, if otherwise eligible, are allowed to encash by surrendering the earned leave for 15 days from the first day of the quarter in which they have joined as per the schedule given below:*

| <b><i>Joining in Government service in<br/>between 27.04.2020 and 30.09.2025</i></b> | <b><i>Eligible from</i></b> |
|--------------------------------------------------------------------------------------|-----------------------------|
| <i>October, November, December</i>                                                   | <i>01.10.2025</i>           |
| <i>January, February, March</i>                                                      | <i>01.01.2026</i>           |
| <i>April, May, June</i>                                                              | <i>01.04.2026</i>           |
| <i>July, August, September</i>                                                       | <i>01.07.2026</i>           |

The order further goes on to state as follows:

*4. It is clarified that if a Government servant had surrendered the Earned Leave for encashment for 15 days on 01<sup>st</sup> April 2020, he/she will be eligible to avail this facility on 01<sup>st</sup> April, 2026 and if he/she had surrendered it on 15<sup>th</sup> October 2019, he/she will be eligible to avail this facility on 15<sup>th</sup> October 2025.*

5. Since the petitioner had exercised the option for surrender of earned leave and the same had been sanctioned while he was in service, his entitlement cannot be denied merely on the ground of subsequent retirement. Accordingly, the impugned proceedings of the third respondent dated 14.10.2025 are set aside and the respondents are directed to sanction and disburse the earned leave surrender salary for 15 days standing to the credit of



the petitioner as on 15.04.2020, within a period of eight (8) weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands allowed.

No costs. Consequently, connected Miscellaneous Petition is closed.

**19-06-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

- 1.The secretary, P and AR Department,  
(presently Human Resources Management Department),  
Forst St.George, chennai – 600009.
- 2.The Registrar,  
Tamilnadu Agricultural University,  
Coimbatore, Coimbatore District - 641003.
- 3.The Comptroller,  
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**P.T.ASHA, J.**

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