

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 22-07-2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21932 OF 2015

1.K.Gopal
2.K.Jayaraman
3.V.K.Velayuthan
4.T.Subramaniam
5.M.Chellappan
6.A.Francis
7.R.Nanjan
8.K.Kanapathy
9.K.Natarajan
10.M.Gnanaraj
11.A.Jerome Antony
12.I.Ligorian
13.V.Veeraputhran
14.A.Francis
15.K.Shakaravarthi
16.R.Mohmed Ali
17.D.Samuel Devaraj

... Petitioners

-vs-

1.The Government of Tamil Nadu,
represented by its Secretary,
Environment and Forest Department,
Secretariat,
Chennai-600 009.

2.The Managing Director,
Tamil Nadu Tea Plantation Corporation Limited,
Registered Office, TANTEA Complex,
Coonoor-643 101,
The Nilgiris.

... Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the second respondent to issue the remaining service benefit of 50% unearned leave on private affairs on retirement (based on the resolution dated 27.06.2008 of the Board of Directors of TANTEA).

For petitioner : Mr.G.Sundaram
For respondents : Mr.N.Inbanathan,
Government Advocate.

O R D E R

Petitioners were the employees of second respondent/TANTEA Corporation and they retired from service on various dates. They claim 50% of unearned leave on private affairs on their retirement, based on the resolution, dated 27.06.2008, of the Board of Directors of TANTEA Corporation.

2. The Government issued G.O.Ms.No.488, Finance (Pension) Department, dated 12.08.1996, granting encashment of Unearned Leave to the employees on private affairs up to 90 days at the time of retirement and the said G.O.was applied to TANTEA Corporation, by way of a resolution of the Board of Directors of TANTEA Corporation, dated 27.06.2008.

3. Under the above circumstances, a learned single Judge of this Court, by an order dated 20.03.2015 in W.P.No.7423 of 2014, issued a direction to the authority to pay encashment of 50% of Unearned Leave to the petitioner therein as per the G.O. and the resolution, referred to above, and, I also, on an earlier occasion, passed a similar order in W.P.No.17297 of 2015 on 18.06.2015.

4. Hence, a direction is issued to the second respondent herein to grant encashment of Unearned Leave on private affairs up to 90 days to the petitioners, if the said leave is available to their credit, within a period of eight weeks from the date of receipt of a copy of this order.

5. Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

dixit

To

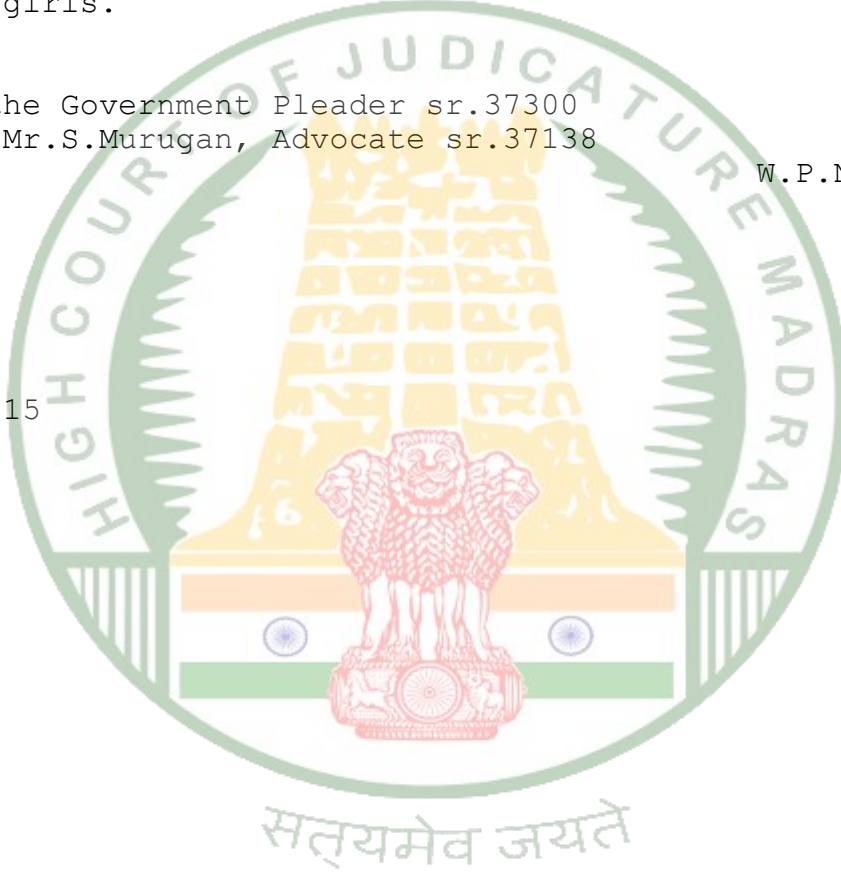
1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Secretariat,
Chennai-600 009.

2.The Managing Director,
Tamil Nadu Tea Plantation Corporation Limited,
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The Nilgiris.

+1 cc to the Government Pleader sr.37300
+17 cc to Mr.S.Murugan, Advocate sr.37138

W.P.No.21932 OF 2015

rj(co)
aa13/08/2015



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