

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2015

CORAM:

THE HON'BLE MR.JUSTICE D. HARIPARANTHAMAN

W.P.No.23294 of 2015

K.Sugumar

.. Petitioner

vs.

The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.

.. Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus directing the respondent to sanction and release the Encashment of Earned Leave on Private Affairs at the credit of the petitioner as on 30.06.2015 within a reasonable period as may be fixed by this Court since the petitioner has already been allowed to retire from service on 30.06.2015.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.K.Magesh
Standing Counsel

O R D E R

The petitioner was working as Executive Engineer. The petitioner reached the age of superannuation on 30.06.2015 and he was allowed to retire from service by the Government in G.O.(D)No.417, Municipal Administration and Water Supply Department, dated 30.06.2015 and the consequential order of the respondent in Na.Ka.No.1277/2015/MC1, dated 30.06.2015. While all other terminal benefits were settled, Encashment of Earned Leave on Private Affairs at his credit as on 30.06.2015 was not settled. He made a representation dated 16.07.2015 seeking the said benefit. In those circumstances, the petitioner has filed this writ petition seeking for a direction to the respondent to sanction and release Encashment of Earned Leave on Private Affairs at his credit as on 30.06.2015 to him.

2. The learned counsel for the petitioner submitted that the department cannot withhold or delay the payment of Encashment of Earned Leave on Private Affairs, as the same is the property of the Government servant.

3. Hence, a direction is issued to the respondent to settle the Earned Leave Encashment benefits to the petitioner as per his entitlement, if not already paid, within a period of two months from the date of receipt of a copy of this order.

4. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

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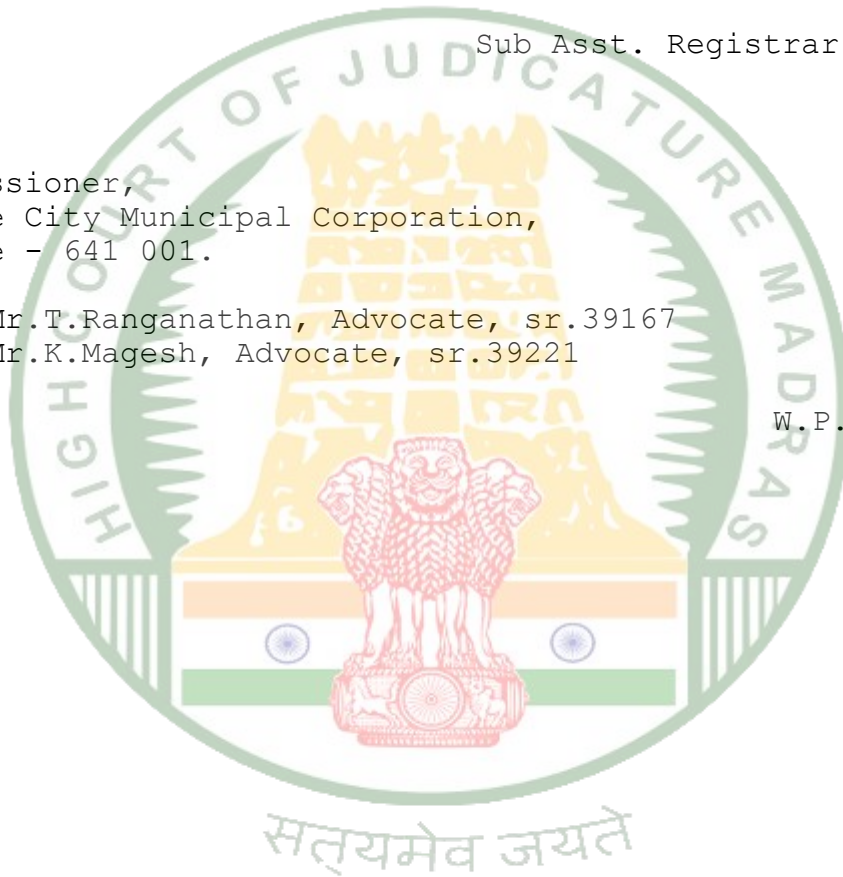
Sub Asst. Registrar

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To
The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.

+1 cc to Mr.T.Ranganathan, Advocate, sr.39167
+1 cc to Mr.K.Magesh, Advocate, sr.39221

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