

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-10-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.32452 of 2015

M.Ayyakannu

.. Petitioner

vs

- 1.The Director of Elementary Education
College Road, Chennai 6.
- 2.The Assistant Elementary
Educational Officer
Thiruvannainallur
Villupuram District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the representation dated 12.1.2015, regarding the sanction of encashment of Earned Leave salary for 30 days per year as per Rule 17(1) of the Tamil Nadu Leave Rules, 1933.

For Petitioner : Mr.A.Baskaran

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that he was appointed as a Watchman on temporary basis, in the Panchayat Union School at Thiruvannainallur on 13.4.1969, and was brought under the time scale of pay with effect from 1.4.1981, as per the proceedings of the Commissioner, Panchayat Union, Thiruvannainallur dated 23.1.1983, and he retired from service on 30.6.2007.

3.The grievance expressed by the petitioner, is that as per Rule 17(1) of the Tamil Nadu Leave Rules, 1933, the entire 30 days Earned Leave can be credited to the petitioner's leave account without any reduction and therefore, he prayed for sanction of encashment of the Earned Leave for a period of 30

days in terms of the above said Rules, in the form of a representation dated 12.1.2015, and since no response is forthcoming, came forward to file this writ petition.

4. Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.S.Gunasekaran, learned Government Advocate, who accepted notice on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the respondents to consider the petitioner's representation dated 12.1.2015, in accordance with law and pass orders thereon within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

sd/
ASSISTANT REGISTRAR (CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

nsv

To:

1. The Director of Elementary Education
College Road, Chennai 6.

2. The Assistant Elementary
Educational Officer
Thiruvannainallur
Villupuram District

+1 CC to MR.A.Baskaran Advocate. SR.NO. 56035

+1 CC to Govt.Pleader. SR.NO. 55977

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W.P.No.32452 of 2015

CO-AK

JD 28/10/2015