

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2643/2017

K.Muthu

.. Petitioner

.Vs.

1.Neyveli Lignite Corporation Ltd.  
Rep.by its General Manager [HR]  
NLC India Ltd., Corporate Office  
Neyveli 604801.

2.The Director [HR]  
NLC India Ltd  
Corporate Office,  
Neyveli 607801.

3.The Executive Director [HR]  
NLC India Ltd., Corporate Office  
Neyveli 601 801.

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein forthwith permit the petitioner to convert his 100 days Earned Leave to be encashed and pay the actual monetary benefits insofar as 100 days Earned Leave is concerned.

For Petitioner : Mrs.AL.Gandhimathi  
For Respondents : Mr.Nithiyanandam

ORDER

By consent, the writ petition is taken up for final disposal. Mr.Nithiyanandam, learned counsel accepts notice on behalf of the respondents.

2 The petitioner was working as the General Manager [Finance and Tax] in the services of the 1<sup>st</sup> respondent /

Corporation and he retired from service on 30.04.2016 and claims that during the entire tenure of service, he had accumulated 146 days of Earned Leave and 266 days of Half Pay Leave to his credit. The petitioner would further aver that on completion of 30 years of service during the year 2014, he had encashed Earned Leave ; but inadvertently he had encashed 100 days in stead of 200 days and thereafter, he did not avail the annual Earned Leave in the year 2015 and attained the age of superannuation and retired from service on 30.04.2016. The grievance now expressed is that on account of the said inadvertent mistake, he has not in a position to encash 112 days of Half Pay Leave accumulation and he is bound to lose a sum of Rs.2,69,528/-. The petitioner, in this regard, has also submitted a representation dated 28.03.2016 to the Director [Finance], Neyveli Lignite Corporation Limited and it is the submission of the learned counsel appearing for the petitioner that since the 3<sup>rd</sup> respondent is in-charge of the post of Director of Finance, it would be suffice to direct the 3<sup>rd</sup> respondent to consider and dispose of the petitioner's representation dated 28.03.2016 in accordance with law within the stipulated time.

3 The Court heard the submissions of Mr.Nithiyanandam, learned counsel appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 3<sup>rd</sup> respondent to consider and dispose of the petitioner's representation dated 28.03.2016 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The General Manager (HR)  
Neyveli Lignite Corporation Ltd.  
Rep.by its General Manager [HR]  
NLC India Ltd., Corporate Office  
Neyveli 604801.

2.The Director [HR]  
NLC India Ltd  
Corporate Office,  
Neyveli 607801.

3.The Executive Director [HR]  
NLC India Ltd., Corporate Office  
Neyveli 601 801.

+1cc to Mr.AL. Ganthimathi, Advocate, S.R.No.7281

ad(CO)  
md(17/02/2017)

W.P.No.2643/2017



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