



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.12766 of 2017

V.Karthikeyan

... Petitioner

-vs-

1. The Additional Director General of Police,
Railways, Egmore,
Chennai-600 008.

2. The Superintendent of Police,
Railways,
Tiruchirapalli-620 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent i.e., the Additional Director General of Police, Railways, Chennai and the Superintendent of Police, Railways, Tiruchirapalli to pass appropriate orders on the petitioner's representation dated 24.05.2017 regarding payment of Encashment of leave salary since he is suffering monetarily after his superannuation and not getting the retirement benefits, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Responden : Mr.D.Muruganatham,

Additional Government Pleader

O R D E R

The petitioner, while serving as Deputy Superintendent of Police, Railways, Madurai in Trichy Railway Police District, was not allowed to retire from service, as he was placed under suspension, in view of the pendency of a case. Although he reached the age of superannuation on 31.03.2016, he has not been relieved from the service and is also not getting subsistence allowance. But his grievance shows that he has not been paid with the encashment of earned leave salary. Therefore, he has given the representation on 24.05.2017 for the disbursement of encashment of earned leave salary. However, the same has not been considered.

2. In similar circumstances, this Court has given a direction for disbursement of encashment of earned leave salary



without any delay in W.P.No.20530 of 2015 on 10.07.2015. The relevant portion of the order is given as under:-

"5. However, in the case of other benefits, even in the case of dismissal, he is entitled to receive the same. Hence, a direction is issued to the first respondent to settle the General Provident Fund, contribution of the petitioner to Special Provident Fund and Earned Leave Encashment benefits, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed."

3. In view of the similar direction given by this Court in the aforementioned writ petition, this Court directs the respondents to consider the petitioner's representation within a period of four weeks from the date of receipt of copy of this order and disburse the payment of encashment of leave salary to the petitioner.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Additional Director General of Police,
Railways, Egmore,
Chennai-600 008.

2. The Superintendent of Police,
Railways,
Tiruchirapalli-620 004.

+1cc to Spl.Government Pleader Sr.No.64981

+1cc to Mr.S.Visvalingam,Advocate Sr.No.64502

MRN/RR

VB/MR-KKR/SAR1/25.07.2017/2P/5C

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