

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.11.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.13778 of 2016

V.Rajendran

.. Petitioner

Versus

1.The Tamil Nadu Civil Supplies Corporation
rep. by its Managing Director,
10, Thambuswamy Road,
Chennai 10.

2.The Tamil Nadu Civil Supplies Corporation,
rep. by its Regional Manager,
Pudukkottai Region,
Pudukkottai 622 001.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to permit the petitioner to encash the accumulated earned leave standing to his credit as on 31.05.2014, the date of his retirement from service, without any further delay.

For Petitioner : Mr.S.Venkataraman

For Respondents: Mr.L.P.Shanmugha Sundaram
Standing Counsel

ORDER

The petitioner has come up with this writ petition seeking a direction to the respondents to permit him to encash the accumulated earned leave standing to his credit as on 31.05.2014, the date of his retirement from service, without any further delay.

2.Learned counsel for the petitioner would submit that the petitioner was lastly employed as Assistant Manager (Quality Control) under the second respondent and retired from service on 31.05.2014. According to him, the retirement was subject to rider regarding pending recovery proceedings and he was paid the Provident Fund amount and also the gratuity by the first respondent, but encashment of earned leave for 11 months was not

released. In this regard, the petitioner made a representation dated 26.08.2014 to the first respondent. Finding no response, he is before this Court seeking the above prayer.

3.The learned Standing Counsel appearing for the respondents is not able to support the stand taken by the respondents in not permitting the petitioner to encash the accumulated earned leave standing to his credit.

4.When the petitioner was retired from service on 31.05.2014, the benefit of encashment of earned leave shall not be denied by the respondents and till date, no notice has been issued in respect of any enquiry with regard to the recovery proceedings. Therefore, the respondents are directed to permit the petitioner to encash the accumulated earned leave standing to his credit. Accordingly, this writ petition is allowed. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Tamil Nadu Civil Supplies Corporation
rep. by its Managing Director,
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Pudukkottai 622 001.

+lcc to Mr.L.P.Shanmugha Sundaram, Advocate sr.no.81539
+lcc to Mr.S.Venkataraman, Advocate sr.no.81076(05/12/2018)

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nr 30/11/2018