

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.01.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 21159 of 2005

K.C.Kandasamy,
S/o.Chenna Goundar,
Retired Commercial Accountant,
TANSI Corporation Limited,
TANSI Engineering Works,
Thanjavur.

...Petitioner

vs

Tansi Corporation,
Chennai- 600 032,
represented by its Managing Director.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other appropriate Writ, Direction or Order in the nature of a Writ, calling for the records of the respondent in Pro.No.5901/EB.3/2004-2 dated 30.08.2004 and L.Dis.No.5901/EB.1/2004 dated 24.01.2005, quash the same in so far as its relates to the sanction of earned leave on medical certificate and issue directions to the respondent to sanction to the petitiner unearned leave on medical certificate for 67 days as follows-

1. 03.05.2004 to 20.05.2004 18 days.
2. 03.06.2004 to 12.06.2004 10 days.
3. 02.07.2004 to 10.07.2004 9 days.
4. 14.07.2004 to 12.08.2004 30 days.

and to grant consequential monetary benefits with 18% interest to the petitioner and also to award costs of this petition.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.G.R.Lakshmanan

O R D E R

The relief sought for in the present Writ Petition is to quash the order passed by the respondent in proceedings

dated 30.08.2004 and 24.01.2005 and in respect of the claim of the writ petitioner to sanction unearned leave on the medical certificate for 67 days.

2. The grievances of the writ petitioner is that instead of sanctioning unearned leave on medical certificate for 67 days, the respondents had erroneously sanctioned the earned leave which affected the monetary benefits of the writ petitioner.

3. It is brought to the notice of this Court that even at that time of the filing of the Writ Petition, the writ petitioner was aged about 58 years. Subsequently during the pendency of the Writ Petition, the petitioner was allowed to retire from service in accordance with law.

4. Now the petitioner would be around 71 years old and now the settled issues in respect of sanction of leave need not be unsettled as the pensionary benefits and other benefits were already in favour of the writ petitioner. This being the factum of the case, no further merits needs to be entertained as far as the Writ Petition is concerned.

5. Accordingly, the writ petitioner is at liberty to approach the competent authority thus, if any grievance experienced in this regard. Writ Petition stands disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mrn/ssb
To

The Managing Director
Tansi Corporation,
Chennai- 600 032,

+1 CC to Mr.M.Ravi, Advocate sr 4488.

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KJI (CO)
SP(15/02/2019)