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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30767 of 2019

P.Krishnan

.. Petitioner

-vs-

1.The Commissioner of Employment and Training,
Guindy, Chennai-600 032.

2.The Regional Joint Director of Employment,
Coimbatore.

3.The District Employment Officer,
Erode.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent relating to proceedings No.A1/55/2018 dated 29.07.2019, quash the same and to issue consequential directions to the respondents to sanction and disburse encashment of surrender of Earned Leave of 240 days and Unearned Leave of 180 days at the credit of the petitioner as on 31.05.2019 and disburse the monetary benefits thereof within a limited time frame.

[Prayer amended as per order dated 12.11.2019 in W.M.P.No.31983 of 2019 in W.P.No.30767 of 2019]

For Petitioner : Mr.M.Ravi
For Respondents: Mr.R.S.Selvam,
Government Advocate

O R D E R

This writ petition is filed challenging the proceedings of the third respondent in Proceedings No.A1/55/2018 dated 29.07.2019, and to issue directions to the respondents to sanction and disburse encashment of surrender of Earned Leave of 240 days and Unearned Leave of 180 days to the credit of the petitioner as on 31.05.2019 and disburse the monetary benefits.



2.The case of the petitioner is that he was initially appointed as Typist in the Department of Employment and Training on 09.04.1984 and subsequently, was promoted as Junior Employment Officer. While the petitioner was working as Junior Employment Officer, he was falsely implicated in a criminal case and a case in Cr.No.18/2014 was registered by the District Crime Branch, Erode. Under these circumstances, he was placed under suspension from 27.06.2014 by order of the 2nd respondent dated 30.06.2014. Therefore, the petitioner was not paid eligible pensionary benefits viz., encashment of earned leave and unearned leave on account of pendency of criminal case. In order to avail the said benefit, the petitioner made representations dated 24.06.2019 and 29.07.2019 to the 3rd respondent. However, till date the representations have not been considered. Hence, the present writ petition.

3.The learned counsel for the petitioner submits that it would suffice if this Court issues directions to the 3rd respondent to consider the petitioner's representations dated 24.06.2019 and 29.07.2019.

4.Though the petitioner has prayed for a larger relief, this Court without going into the merits of the case and considering the request made by the petitioner, directs the 3rd respondent to consider the petitioner's representations dated 24.06.2019 and 29.07.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

abr)

To

1.The Commissioner of Employment and Training,
Guindy, Chennai-600 032.

2.The Regional Joint Director of Employment,
Coimbatore.

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3.The District Employment Officer,
Erode.

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+1cc to Mr.M.Ravi, Advocate sr.95846
+1cc to Government Pleader SR.NO. 76536

W.P.No.30767 of 2019

sj(co)
nr 07/01/2020