

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2021

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.No.10211 of 2021

B.Suthakaran

... Petitioner

Vs.

- 1.The Secretary to Government ,
Commercial Taxes Department,
Fort St.George,
Chennai - 600 009.
- 2.The Commissioner of Commercial Taxes,
Commercial Taxes Building,
2nd Floor, Ezhilagam,
Chepauk, Chennai - 600 005.
- 3.The Additional Commissioner (Administration),
Office of the Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 600 005.
- 4.The Joint Commissioner (CT),
(Administration),
Commercial Taxes Building,
No.75, Pitchards Road,
Hasthampatti, Salem - 636 007. ... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India praying to issue a writ of mandamus, directing the respondents to disburse the monetary benefits of the Earned Leave, Unearned Leave Salary and Special Provident Fund as requested vide representations dated 16.03.2020, 29.05.2020, 11.12.2020 and 11.02.2021.

For Petitioner : Mr.R.Senniappan

For Respondents : Mr.M.Hariharan
Additional Government Pleader

O R D E R

Mr.M.Hariharan, learned Additional Government Pleader takes notice on behalf of respondents. By consent, the Writ Petition is taken up for final disposal.

2. The petitioner was appointed and serving in Deputy Commissioner's Office under the respondents. However, he was removed from service by the first respondent in his proceedings Na.Ka.No.E1/37456/2013-II dated 13.05.2019. Thereafter, he made a representation requesting encashment of his earned leave and unearned leave and other benefits which he earned during his service. The third respondent has forwarded the representation to the fourth respondent and till date his representations dated 16.03.2020, 29.05.2020, 11.12.2020 and 11.02.2021 are kept pending. The petitioner would rely on the judgment of this Court in W.P.No.21500 of 2015 dated 20.07.2015.

3. Heard the submissions made on either side and perused the materials available on record.

4. Considering the limited prayer, a direction is given to the 4th respondent to consider the representation of the petitioner and pass orders in the light of the judgment of this Court within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Pns

To

- 1.The Secretary to Government ,
Commercial Taxes Department,
Fort St.George,Chennai - 600 009.
- 2.The Commissioner of Commercial Taxes,
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2nd Floor, Ezhilagam,
Chepauk, Chennai - 600 005.
- 3.The Additional Commissioner (Administration),
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Chennai - 600 005.
- 4.The Joint Commissioner (CT),
(Administration),
Commercial Taxes Building,
No.75, Pitchards Road, Hasthampatti, Salem - 636 007.

+1cc to Mr.R.Senniappan, Advocate SR.No. 24642

+1 cc to Spl Government Pleader(Taxes) Sr.No. 25045

W.P.No.10211 of 2021

A.SK(28.04.2021)