



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.8273 of 2021

Muthukumaran

... Petitioner

-Vs-

1.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai-600 108.

2.The Deputy Director (Silks),
Tamil Nadu Khadi and Village Industries Board,
Kumbakonam Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle the unearned leave salary for 90 days and commuted value of pension to the petitioner with 12% interest at once by considering the petitioner's representation, dated 07.04.2021.

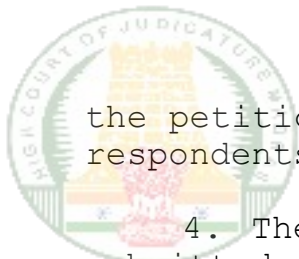
For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.Raghuvarangopalan

ORDER

This writ petition is filed seeking a writ of Mandamus, directing the respondents to settle the unearned leave salary for 90 days and commuted value of pension to the petitioner with 12% interest at once, by considering the petitioner's representation, dated 07.04.2021.

2. Mr.Raguvarangopalan, learned Standing Counsel takes notice for the respondents. By consent of both parties, these Writ Petitions are taken up for final disposal at the stage of admission itself.

3. According to the petitioner he has joined as Watchman on 10.08.1974 at Tamil Nadu Khadi and Village Industries Board at Ammapettai and attained the age of superannuation on 30.06.2015. An employee of the Tamil Nadu Khadi and Village Industries Board is entitled for unearned leave salary for 90 days and commuted value of pension. But, the respondents without any reason, have not disbursed the unearned leave salary and commuted value of pension to



the petitioner. Hence, the petitioner has made representation to the respondents on 07.04.2021.

4. The learned Standing Counsel appearing for the respondents submitted that due to financial crisis, the respondents are not in a position to pay the unearned leave salary and commuted value of pension to all the employees. Hence, the respondents sought permission from the Government for payment of unearned leave to all the employees and the request of the petitioner will be considered after obtaining the orders from the Government.

5. Considering the above said rival submissions, without deciding the issue on merits, the first respondent is directed to consider the representation of the petitioner, dated 07.04.2021 and pass orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai-600 108.

2.The Deputy Director (Silks),
Tamil Nadu Khadi and Village Industries Board,
Kumbakonam Taluk, Thanjavur District.

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PM(CO)

TR(10.06.2021) 2P 3C