



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.8151, 8208 & 8219 of 2021

WEB COPY

**W.P(MD)No.8151 of 2021**

M.Sanjeevi

... 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 under Article 226 of the Constitution of India, to issue 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 05.04.2021.

**W.P(MD)No.8208 of 2021**

A.Jeyaraman

... Petitioner

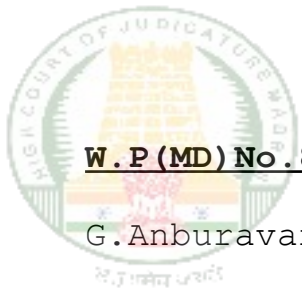
Vs.

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 under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the unearned leave salary for 90 days to the petitioner with 12% interest at once by considering the petitioner's representation dated 08.04.2021.



**W.P(MD)No.8219 of 2021**

G.Anburavanan

... Petitioner

WEB COPY

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 under Article 226 of the Constitution of India, to issue 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.

For Petitioners : Mr.P.Ganapathi Subramanian  
For Respondents : Mr.Raguvarangopalan

**COMMON ORDER**

The issues involved in these Writ Petitions are one and the same and therefore, these Writ Petitions are heard together and disposed of by way of this common order.

2. These writ petitions are filed seeking a writ of Mandamus, directing the respondents to settle the unearned leave salary for 90 days to the petitioners and commuted value of pension to the petitioners in W.P(MD)Nos.8151 and 8219 of 2021 with 12% interest at once by considering their representations, dated 05.04.2021, 08.04.2021 and 07.04.2021 respectively.

3. 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.

4. According to the petitioners, they have joined as Khadi Assistant Grade-3 on 24.08.1993, 27.08.1993 and 29.11.1988 at Tamil Nadu Khadi and Village Industries Board at Kumbakonam and attained the age of superannuation on 31.05.2016, 31.05.2015 and 31.05.2018, respectively. An employee of the Tamil Nadu Khadi and Village Industries Board is entitled for unearned leave salary to



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 petitioners. Hence, the petitioners have made representations to the respondents on 05.04.2021, 08.04.2021 and 07.04.2021 respectively.

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5. 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 petitioners will be considered after obtaining the orders from the Government.

6. Considering the above said rival submissions, without deciding the issue on merits, the first respondent is directed to consider the representations of the petitioners, dated 05.04.2021, 08.04.2021 and 07.04.2021 respectively 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.

7. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar ()

// 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

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

**W.P. (MD)No.8151, 8208 & 8219 of 2021**  
**26.04.2021**

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