



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.06.2021**

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9100 of 2021

WEB COPY

V.Ganesan

... 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: Petition filed under Article 226 of the Constitution of India, praying for the issuance of 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.

For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondents	: Mr.P.Thillak Kumar, Standing Counsel for Government

O R D E R

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner seeking for issuance of 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.

4.The case of the petitioner is that he has joined in Tamil Nadu Khadi and Village Industries Board, Dindigul on 01.09.1993 as Khadi Assistant Grade -3 and after completion of 22 years of service, he retired on 31.05.2015, on attaining the age of superannuation. The learned counsel for the petitioner would submit that the Tamil Nadu Khadi and Village Industries Board used to adopt all the Government orders by issuing necessary Board proceedings. As



an employee of the Tamil Nadu Khadi and Village Industries Board, the petitioner is entitled to unearned leave salary for 90 days. The grievance of the petitioner is that though the second respondent by his proceedings dated 02.06.2015 in Na.Ka.No.2537/E/2014 ordered to pay unearned leave salary for 90 days to the petitioner, the same has not been sanctioned to the petitioner so far. Hence, the present Writ Petition.

5. The learned counsel for the petitioner would state that it would be suffice, if a direction is issued to the respondents, to dispose of the representation of the petitioner.

6. The learned standing counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 08.04.2021, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

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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.

+1 CC to M/s.SPL GP (SR-18734[F] dated 03/06/2021)

Order made in
W.P(MD)No.9100 of 2021
02.06.2021

GS (24.06.2021) 3P 4C