



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2021

CORAM :

**The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The Hon'ble Mr.JUSTICE M.M.SUNDRESH**

**C.M.P. (MD) No.6542 of 2020 in
and W.A. (MD) No.SR48171 of 2020**

1. The Director of Social Welfare,
No.1, Panagal Maligai Building
2nd Floor, Jeenis Road, Saidapet,
Chennai - 600 015.
2. The District Social Welfare Officer,
Plot No.35, East 2nd Cross Street,
K.K.Nagar, Madurai - 625 020. .. Petitioners/Appellants

Vs

P.Tamilarasi .. Respondents/Writ Petitioner

PRAYER in C.M.P. (MD) No.6542 of 2020: Petition filed under Section 5 of the Limitation Act, seeking to condone the delay of 30 days in filing the appeal filed against the order dated 24.01.2020 passed in W.P.(MD)No.1451 of 2020.

PRAYER in W.A. (MD) No.SR48171 of 2020 : Appeal filed under Clause 15 of Letters Patent, against the order dated 24.01.2020 passed in W.P. (MD)No.1451 of 2020.

Prayer in WP(MD). 1451/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents ie., the Director of Social welfare, chennai and the District Social Welfare Officer, madurai to take immediate action to disburse the Encashment of Leave Salary and Special Provident fund of the petitioners contribution within a specified time frame that may be fixed by this Court.

For Petitioners/Appellants : Mrs.S.Srimathy,
Special Government Pleader

For Respondent : Mr.S.Visvalingam



ORDER

[Order of the Court was made by **M.M.SUNDRESH, J.**]

The issue is with respect to the payment of leave salary and special provident fund. Learned Special Government Pleader fairly submitted that on the similar issue, in pursuant to the orders of this Court, the writ petitioner has been given the benefit.

2. It is also not in dispute that the respondent/writ petitioner stands on the same footing. Reference has also been made to the judgment of this Court in W.A.No.207 of 2016 dated 26.02.2016. In view of the same, this petition stands dismissed. The respondent/writ petitioner is entitled to the same benefits as per the judgment dated 26.02.2016. Accordingly, the writ appeal stands rejected. However there is no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

RR/OGY

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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