



WEB COPY



W.P.Nos.25325, 25328, 25333, 25336, 25338 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2022

CORAM :

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.Nos.25325, 25328, 25333,
25336 and 25338 of 2022

C.Gnanam	..	Petitioner in W.P.No.25325 of 2022
K.Sundaram	..	Petitioner in W.P.No.25328 of 2022
P.Selvaraj	..	Petitioner in W.P.No.25333 of 2022
Subramanian	..	Petitioner in W.P.No.25338 of 2022
V.Chinnasamy	..	Petitioner in W.P.No.25336 of 2022
Vs.		

1. The Secretary to Government
Animal Husbandry Dairying and Fisheries Department
Fort St. George, Chennai - 600 009.
 2. The Commissioner for Milk Production and Dairy Development
Madhavaram Milk Colony
Madhavaram, Chennai - 600 051.
 3. The General Manager
Dharmapuri District Co-operative Milk Producer Union
Salem Bye Pass Road, Dharmapuri
Krishnagiri - 635 002.
- .. Respondents in all WPs



W.P.Nos.25325, 25328, 25333, 25336, 25338 of 2022

Common Prayer: Petitions filed under Article 226 of the Constitution of India for a writ of Mandamus to direct the respondents to disburse the amount of 90 days of private affairs leave encashment together with interest @ of 9% P.A for the delayed period till the date of payment.

For Petitioner : Mr.A.Sundaravadhanan
[in all W.Ps]

For Respondents : Mrs.V.Yamunadevi
Special Government Pleader
[R1 and R2 in W.P.Nos.25325 & 25328 of 2022]
Mr.I.John Arockiya Das
Standing Counsel [R3 in all W.Ps]

Mr.V.P.R.Elam Parithi
Additional Government Pleader
[R1 & R2 in W.P.Nos.25333 & 25338 of 2022]

Mr.M.Murali
Government Advocate
[R1 & R2 in W.P.No.25336 of 2022]

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of learned counsel appearing for both sides, these writ petitions were heard together and are disposed of by this common order.

2. These petitioners were the erstwhile employees of the third respondent and on superannuation, they retired from service. After



W.P.Nos.25325, 25328, 25333, 25336, 25338 of 2022

retirement of service, their other benefits have been paid, but, insofar as the encashment of leave on private affairs is concerned, that has not been paid. Therefore, in order to get the said amount, though they have made an attempt by giving representation to the respondents, it has not yielded any desired result, therefore, they have approached this Court by filing these writ petitions.

3. Heard Mr.A.Sundaravadhanan, learned counsel appearing for the petitioners, Mrs.V.Yamunadevi, learned Special Government Pleader appearing for the respondents 1 and 2 in W.P.Nos.W.P.Nos.25325 & 25328 of 2022, Mr.V.P.R.Elam Parithi, Additional Government Pleader appearing for the respondents 1 and 2 in W.P.Nos.25333 & 25338 of 2022, Mr.M.Murali, Government Advocate appearing for the respondents 1 and 2 in W.P.No.25336 of 2022 and Mr.I.John Arockiya Das, learned Standing Counsel appearing for the third respondent in all writ petitions.

4. Mr.I.John Arockiya Das, learned Standing Counsel appearing for the third respondent, who is in fact the contesting respondent, would submit that whether these petitioners are eligible to get such encashment for leave on private affairs is to be examined and in that case, if they are



W.P.Nos.25325, 25328, 25333, 25336, 25338 of 2022

eligible, that would be considered and such benefit would be extended to the petitioners. Therefore, learned Standing Counsel appearing for the third respondent wants some time to make such disposal of the request of the petitioners.

5. Having regard to the said submission made by the learned Standing Counsel appearing for the third respondent, this Court feels that a direction can be given to the third respondent to consider the request of each of the petitioners with regard to the plea and dispose it of within a time frame that may be stipulated by this Court.

6. In that view of the matter, this Court is inclined to dispose of these writ petitions with the following orders:

- ♦ That there shall be direction to the respondents, especially the third respondent to consider the request of each of the petitioners with regard to the encashment of leave on private affairs as permissible under the Service Regulations and pass orders by making such benefit or extending such benefits to the petitioners, if they are entitled to and such orders shall be passed by the third respondent within a period of four weeks from the date of receipt of a copy of this order.



W.P.Nos.25325, 25328, 25333, 25336, 25338 of 2022

WEB COPY 7. With these directions, the writ petitions are disposed of. No costs.

21.09.2022

Index: Yes/No

drm/mp

To

1. The Secretary to Government
Animal Husbandry Dairying and Fisheries Department
Fort St. George, Chennai - 600 009.
2. The Commissioner for Milk Production and Dairy Development
Madhavaram Milk Colony
Madhavaram, Chennai - 600 051.
3. The General Manager
Dharmapuri District Co-operative Milk Producer Union
Salem Bye Pass Road, Dharmapuri
Krishnagiri - 635 002.



WEB COPY



W.P.Nos.25325, 25328, 25333, 25336, 25338 of 2022

R.SURESH KUMAR,J.

(mp/drm)

W.P.Nos.25325, 25328, 25333,
25336 and 25338 of 2022

21.09.2022