



WP.No.6070 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.6070 of 2022

C.Ramakrishnan

...Petitioner

Vs.

1. The Secretary to Government,
Animal Husbandry Dairying and Fisheries Department,
Fort St. George, Rajaji Salai,
Chennai 600 009.
2. The Managing Director,
Tamilnadu Co-operative Milk Producers Federation Limited,
Aavin Illam, No.3A, Pasumpon Muthuramalinganar Salai,
Nandanam, Chennai 600 035.
3. The General Manager,
Krishnagiri District Co-operative Milk Producers Union Ltd.,
Salem Main Road, Kanagamuttlu Post,
Krishnagiri 635 002.

..Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the third respondent to disburse the accumulated arrears of 240 days private affairs leave encashment as admitted by the 3rd respondent herein, vide Na.Ka.No.5262/I.R./2020, dated 12.11.2021 with an interest of 18% per annum from the date of retirement on 31.01.2019 till the date of disbursement of benefits.



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For Petitioner : Mr.R.Nandakumar
For Respondents : Ms.R.L.Karthika, G.A.
for R1 : Ms.Geetha
for RR2 & 3

ORDER

The Writ Petition has been filed for a direction to the third respondent to disburse the accumulated arrears of 240 days private affairs leave encashment as admitted by the 3rd respondent herein, vide Na.Ka.No.5262/I.R./2020, dated 12.11.2021 with an interest of 18% per annum from the date of retirement on 31.01.2019 till the date of disbursement of benefits.

2. It is the contention of the petitioner that he was associated with the third respondent Union as an Electrician for 34 years and attained superannuation on 31.01.2019. However, the respondents have not paid 240 days private affairs leave encashment. Despite several representations given by the petitioner, the same has not been paid till date. Hence, the present Writ Petition.

3. The learned counsel appearing for the petitioner has brought to the notice of this Court a communication issued by the third



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respondent dated 12.11.2021, wherein he has admitted that a sum of Rs.8,80,000/- is due towards encashment of leave and the same will be disbursed considering the financial capacity of the Union and also on the seniority basis.

4. It is seen that the third respondent vide communication dated 12.11.2021 has admitted that they are liable to pay arrears towards 240 days private affairs leave encashment and the respondents cannot deny the payment citing financial crisis in the Union. Therefore, the respondents are directed to disburse the said amount to the petitioner within a period of two months from the date of receipt of a copy of this order along with interest at the rate of 7.5% from the date of retirement till the date of disbursement of benefits.

5. With the above direction, the Writ Petition is disposed of.

No costs.

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To

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