



W.P.No.16235 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No.16235 of 2020

B.Ilango

...Petitioner

-Vs-

1.The Joint Registrar,
Co operative Societies Krishnagiri Region,
Krishnangiri District.

2.The Deputy Registrar of Cooperatives Societies,
Krishnagiri,
Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to pay encashment of earned leave salary and unearned leave on private affairs, special provident fund pursuant to the representation dated 13.08.2020.

For Petitioner : Mr.S.Sairaman

For Respondents : Mr.V.Ramesh,
Government Advocate



W.P.No.16235 of 2020

ORDER

WEB COPY This writ petition has been filed seeking a Writ of Mandamus directing the respondents to pay encashment of earned leave salary and unearned leave on private affairs and special provident fund, pursuant to the representation of the petitioner dated 13.08.2020.

2. Notice to the respondents was ordered by this Court on 18.11.2020. But till date, counter affidavits are not filed on behalf of the respondents.

3. Learned counsel for the petitioner submits that the issue involved in the present writ petition is purely covered by an order of this Court dated 06.01.2020 passed in W.P.No.35328 of 2019 and a copy of the said order has also been filed along with this writ petition.

4. Learned Government Advocate appearing for the respondents sought time to file counter affidavits on behalf of the respondents.

5. However, considering the facts and circumstances of the case and as the respondents could not file counter affidavits from 18.11.2020, this Court



W.P.No.16235 of 2020

is not inclined to accept the request of the learned Government Advocate.

WEB COPY

6. This Court carefully have gone through the order dated 06.01.2020 passed in W.P.No.35328 of 2019. It appears that the order dated 06.01.2020 passed in W.P.No.35328 of 2019 was passed based on the dictum laid down by the Division Bench of this Court in W.A.No.207 of 2016 dated 26.02.2016. In view of the same, in my considered opinion, it is appropriate to dispose of the present writ petition by following the order dated 06.01.2020 in W.P.35328 of 2019 in the interest of justice.

7. Accordingly, this writ petition is **disposed of** by directing the respondents to consider the representation of the petitioner dated 13.08.2020 for encashment of earned leave salary and unearned leave on private affairs, special provident fund and pass necessary orders within a period of six weeks from the date of receipt of a copy of this order.

8. No costs.

9. Consequently, connected writ miscellaneous petition is closed, if any.

01.06.2023

nl

Index: Yes/No

3/5



W.P.No.16235 of 2020

Speaking order/Non Speaking order
Neutral Citation: Yes/No

WEB COPY

To

- 1.The Joint Registrar,
Co operative Societies Krishnagiri Region,
Krishnangiri District.
- 2.The Deputy Registrar of Cooperatives Societies,
Krishnagiri,
Krishnagiri District.



WEB COPY



W.P.No.16235 of 2020

BATTU DEVANAND, J.

nl

W.P.No.16235 of 2020

01.06.2023