



W.P.(MD).No.16275 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16275 of 2023

I.Vincent Boni Pace

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
N.P.K.R.R. Maligai,
Chennai-600 002.
- 2.The Chief Engineer (Personal),
TNEB/TANGEDCO,
No.144, Anna Salai,
N.P.K.R.R. Maligai,
Chennai-600 002.
- 3.The Chief Engineer,
Distribution,
TNEB/TANGEDCO,
Thennur,
Trichy District-17.
- 4.The Superintending Engineer,
Trichy Electricity Distribution Circle,
Metro Trichy,
Mannarpuram, TANGEDCO,
Trichy District-20.



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5.The Secretary,
TANGEDCO,
144, Anna Salai,
N.P.K.R.R. Maaligai,
Chennai-600 002.

... Respondents

*(Suo motu impleaded as per order, dated 06.07.2023, in
W.P(MD)No.16275 of 2023)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 4 to disburse the benefits of Encashment of Earned Leave and Encashment of Unearned Leave, General Provident Fund, Special Provident Fund, Family Benefit Fund on private affairs to the petitioner in light of the order in W.P.No 139 of 2016, dated 22.08.2017 and W.A.No.207 of 2016, dated 26.02.2016 (Chairman TNEB -vs- P.K. Panchaksharam) and in W.A.No.2767 of 2018 dated 17.12.2018 (The Superintending Engineer TNEB -vs- T.Datchinamurthy).

For Petitioner : Mr.I.Pinaygash

For Respondents : M/s.M.Parameswari
Standing Counsel

ORDER

The present writ petition is for a Mandamus, directing the respondents 2 and 4 to disburse the benefits of Encashment of Earned Leave and Encashment of Unearned Leave, General Provident Fund, Special Provident Fund, Family



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Benefit Fund on private affairs to the petitioner in the light of the orders passed in W.P.No 139 of 2016, dated 22.08.2017 and W.A.No.207 of 2016, dated 26.02.2016 (Chairman TNEB -vs- P.K. Panchaksharam) and in W.A.No.2767 of 2018 dated 17.12.2018 (The Superintending Engineer TNEB -vs- T.Datchinamurthy).

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

3. M/s.M.Parameswari, learned Standing Counsel for TANGEDCO brought to the notice of this Court that, the Secretary of TANGEDCO is a competent party to consider the crux of this case and hence this Court is inclined to *suo motu* implead the Secretary of TANGEDCO as fifth respondent.

4. Heard the learned Counsel for the petitioner and the learned Standing Counsel for the respondents and carefully perused the materials available on record.



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5. Considering the limited prayer sought for by the petitioner in this writ petition, this Court is inclined to direct the *suo motu* impleaded fifth respondent to disburse the benefits of Encashment of Earned Leave and Encashment of Unearned Leave, General Provident Fund, Special Provident Fund, Family Benefit Fund on private affairs to the petitioner in the light of the orders passed in W.P.No.139 of 2016, dated 22.08.2017, W.A.No.207 of 2016, dated 26.02.2016 and W.A.No.2767 of 2018, dated 17.12.2018 within a period of twelve (12) weeks from the date of receipt of a copy of this order, considering the representation of the petitioner, dated 26.01.2023.

6. With the above said observation, this writ petition stands allowed.
There shall be no order as to costs.

06.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
BTR

Note: Registry is directed to carry out the necessary amendments in the cause-tilte.



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L.VICTORIA GOWRI, J.

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