



W.P.No.4841 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.4841 of 2020

V.Rajendran

...

Petitioner

/vs/

1. Tamil Nadu Civil Supplies Corporation,
Rep. by its Managing Director,
10, Thambusamy Road,
Chennai – 10.

2. Tamil Nadu Civil Supplies Corporation,
Rep. by its Regional Manager,
Pudukkottai Region,
Pudukkottai – 622 001.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to release the accumulated earned leave and unearned leave on Private Affairs, Spl PF standing to the petitioner's credit as on 31.05.2014, the date of his retirement from service.



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For Petitioner ... Mr.S.Venkataraman
For Respondents ... Mr.S.Senthilkumar
Standing Counsel for TNCSC

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus to direct the respondents to release the accumulated earned leave and unearned leave on Private Affairs, Special Provident Fund on the petitioner's credit as on 31.05.2014, the date of his retirement from service.

2. Mr.S.Venkataraman, the learned counsel for the petitioner submitted that the petitioner who was employed as “Assistant manager” on the respondent corporation was permitted to retire with pending requirements; the petitioner's terminal benefits have been paid except the encashment of earned leave; despite the petitioner has given representation on 26.08.2015 and 08.05.2015, for claiming leave encashment, leave on Private Affairs and Special pay, there was no response. Hence the present petition has been filed.



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3. It is learnt that the petitioner had filed a Writ Petition in W.P.No.33549/2015 and the same was disposed on 16.10.2015 by giving direction to the first respondent to pass appropriate orders on the representation of the petitioner. Since the respondents did not give any response, the petitioner again filed a writ petition in W.P.No.13378 of 2016 claiming the benefit of leave encashment by suppressing the earlier dated 16.10.2015 and this Court allowed the writ petition by permitting the petitioner to encash the accumulated earned leave standing to his credit. Thereafter, the second respondent has passed an order dated 24.01.2019 by computing the benefit due to the petitioner and called upon the petitioner to pay the excess amount. The contempt petition filed by the petitioner in Cont.P.No.591/2019 was dismissed on 22.04.2019 by holding that a detailed proceeding has been passed on 24.01.2019 and the same was not brought to the notice of the Court.

4. The petitioner cannot go on filing repeated writ petitions for seeking the same relief and that too by suppressing the material facts. If the



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petitioner is so aggrieved, he can file a fresh contempt petition or to challenge the order passed in the earlier contempt petition.

5. In view of the reasons stated above, this Writ Petition is dismissed. No costs.

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Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation: Yes / No

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R.N.MANJULA ,J.

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