



Rev.Aplw.No.120 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Review Application No.120 of 2024

V.Rajendran

... Applicant

Vs.

1.The Tamil Nadu Civil Supplies Corporation,
rep. by its Managing Director,
10, Thambuswamy Road,
Chennai - 10.

2.The Tamil Nadu Civil Supplies Corporation,
rep. by its Regional Manager,
Pudukottai Region,
Pudukottai.

... Respondents

Review Application is filed under Order XLVII Rule I read with
Section 114 of C.P.C. to review the order dated 22.01.2024 made in W.P.
No.4841 of 2022.

For applicant : Ms.K.Abinaya for
Mr.S.Venkataraman

For Respondents : Mr.C.Selvaraj,
Standing Counsel
for TNCSC



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ORDER

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This application is filed to review the order dated 22.01.2024 passed in W.P. No.4841 of 2020 and direct the respondents to release the encashment of earned leave, standing to the credit of the applicant/petitioner on the date of his retirement.

2.The learned counsel for the applicant/petitioner submitted that when the applicant/petitioner has come to this Court, challenging the impugned order of recovery, which is the subject matter of W.P. No.8152 of 2021, passed against him recovering a sum of Rs.5,97,230/-, this Court, vide order dated 01.12.2021, has allowed the writ petition holding that the impugned order of recovery dated 24.01.2019 itself is unsustainable and quashed the impugned order. After adjusting the amount representing the applicant's/petitioner's entitlement for encashment of leave, amounting to Rs.5,33,991/-, the balance outstanding amount payable by the applicant/petitioner was mentioned as Rs.63,239/-. Challenging the same, W.P. No.4841 of 2020 was filed by the applicant/petitioner, which was dismissed by this Court vide order dated 22.01.2024.



3.Learned counsel for the applicant/petitioner now submits that the order dated 01.12.2021 passed by this Court in W.P. No.8152 of 2021 has not been brought to the knowledge of this Court in W.P. No.4841 of 2020, which has been filed by the applicant/petitioner for issuance of writ of mandamus directing the respondents to release the accumulated earned leave and unearned leave on Private Affairs, Special Provident Fund on the applicant's/petitioner's credit as on 31.05.2014, i.e., the date of his retirement from service and if the essential fact has been brought to this Court by the applicant/petitioner, the writ petition would have been ended in his favour.

4.In fact, the applicant/petitioner has filed similar petitions seeking similar relief in W.P. Nos.33549 of 2015 and 13378 of 2016 and in which orders have been passed in favour of the applicant/petitioner. Further, this Court, having observed that the applicant/petitioner has filed fresh writ petitions seeking the same relief, dismissed W.P. No.4841 of 2020. In fact, the Contempt Petition filed by the applicant/petitioner in Contempt Petition No.591 of 2019 was also dismissed on 22.04.2019 by holding that a detailed proceeding has been passed on 24.01.2019.



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R.N.MANJULA ,J.

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