



WP(MD) No.8167 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.8167 of 2024

K.Anjayan

... Petitioner

/vs./

1.The Principal Secretary to Government,
School Education,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.

2.The District Collector/
Director – Saraswathi Mahal Library,
Thanjavur District,
Thanjavur.

3.The Director of General Library,
No.737/1, Anna Salai,
Directorate of General Library,
Chennai -2.

4.The Administrative Officer,
Saraswathi Mahal Library,
Palace Complex,
Thanjavur Town & District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to order for encasement of earned leave as per representation dated 20.08.2020 and as requested by the 2nd and 3rd respondents through Na.Ka.No.42/2022/A1 dated 19.03.2023.

For Petitioner : Mr.M.Karunanithi
For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking for a Writ of Mandamus to direct the first respondent to order for encasement of earned leave.

2. Heard Mr.M.Karunanithi, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

3. Mr.M.Karunanithi, learned counsel for the petitioner submitted that the petitioner's request for leave encashment has been forwarded by the respondents 2 and 3 to the first respondent. The second respondent has recommended that the petitioner's claim for leave encashment can be granted. In fact, the petitioner is entitled to get all the benefits as similar as to that of the Government servants.



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4. Mr.T.Amjadkhan, learned Government Advocate for the respondents submitted that the petitioner is not entitled to the above benefit as a matter of right and it is a policy decision of the Government. However, it is seen that on earlier occasions, the surrender leave benefit has been given to the employees of the Societies and the Government has issued various Government Orders in this regard. So, the only thing that has to be done by the Director of Public Library is to get funds from the Government in order to sanction the said benefits. It seems to be a matter of fund allocation and not any decision making as to the entitlement. Since similar such orders have already been passed, the petitioner's case shall be considered favorably by the first respondent within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is **disposed of**. No costs.

01.04.2024

Index : Yes / No

Internet : Yes / No

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R.N.MANJULA, J.

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Order made in
W.P.(MD)No.8167 of 2024

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