



W.P.(MD)No.25208 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.08.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25208 of 2019

P.Rajendran

... Petitioner

/Vs./

1.The Managing Director,
Tamilnadu Civil Supplies Corporation Ltd.,
Head Office, No.12, Thambusamy Road,
Kilpauk, Chennai-600 010.

2.The Senior Regional Manager,
Tamilnadu Civil Supplies Corporation Ltd.,
Madurai Road,
Madurai-625 020.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the respondents herein to settle the benefit on surrender of 240 days earned leave and 90 days unearned leave together with 18 percent interest to the petitioner based on his representation dated 09/02/2019.



W.P.(MD)No.25208 of 2019

For Petitioner : Mr.D.Srinivasaragavan

For Respondents : Mr.Raja Karthikeyan
Standing Counsel

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to settle the benefits on surrender of 240 days earned leave and 90 days unearned leave, together with 18% interest, based on the petitioner's representation dated 09.02.2019.

2. It is now brought to the notice of this Court by the learned counsel appearing for the petitioner that only due to the fact the recovery order was issued on the petitioner seeking recovery of the alleged excess payment, the relief sought for in this writ petition was not granted by the respondents. He would now submit that the recovery order was challenged in a writ petition in WP(MD)No.16217 of 2014 and by order dated 22.08.2022 passed by the learned Single Judge of this Court, the recovery order was quashed and the matter was remanded back to the respondents for fresh consideration. However, he would submit that



W.P.(MD)No.25208 of 2019

despite a lapse of almost two years from the date of the said order, till date the representation of the petitioner, which is the subject matter of this writ petition has not been considered.

3. No prejudice will be caused to the respondents, if the petitioner's representation seeking for settlement of all the benefits on surrender of his 240 days earned leave and 90 days unearned leave is considered on merits and in accordance with law within a time frame to be fixed by this Court. Since the petitioner's earlier representation is dated 09.02.2019, the petitioner is directed to submit a fresh representation.

4. For the foregoing reasons, this Court, without expressing any opinion on the merits and demerits of the petitioner's representation, directs the petitioner to submit a fresh representation to the second respondent seeking for settlement of all his benefits on surrender of his 240 days earned leave and 90 days unearned leave together with interest at 18% per annum within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the second



W.P.(MD)No.25208 of 2019

respondent shall pass final orders on merits and in accordance with law,
within a period of eight weeks thereafter.

5. With the aforesaid direction, this writ petition is disposed of.

No costs.

28.08.2024

Index : Yes / No
NCC : Yes / No
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W.P.(MD)No.25208 of 2019

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ABDUL QUDDHOSE, J.

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Order made in
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