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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

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THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.5380 of 2025

K.Sivakumaran

.. Petitioner

Vs.

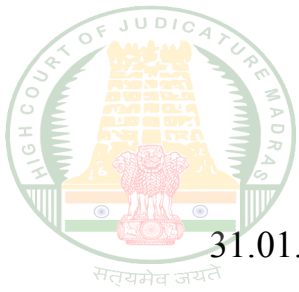
1.The Secretary to Government,
Animal Husbandry Dairying and Fisheries Department,
Fort St. George,
Chennai – 600 009.

2.The Commissioner for Milk Production and Dairy Development,
Madhavaram Milk Colony,
Madhavaram,
Chennai – 600 051.

3.The General Manager,
Krishnagiri District Co-operative Milk Producer Union,
Krishnagiri.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to disburse the earned leave calculated at the rate of 32 days per year from 08.12.1997 till the date of petitioner's retirement together with interest @ 18% per annum for the delayed period from 01.01.1990 till the date of petitioner's retirement besides payment of the 90 days leave on private affairs together with interest @ 18% per annum for the delayed period from



31.01.2016 till the date of payment at the earliest.

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For Petitioners .. Mr.S.Mohan

For R1 to R3 .. Mr.V.Nanmaran,
Additional Government Pleader.

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondents to disburse earned leave at the rate of 32 days per year from 01.01.1990 till the date of retirement besides payment of 90 days leave on private affairs and also interest for delayed payment till the date of payment from the date of retirement.

2.In the affidavit filed in support of the writ petition, it had been contended that the petitioner had joined the services of the 3rd respondent on 01.01.1988 as casual labour. The petitioner finally retired as Special Grade Senior Factory Assistant on 31.01.2016. The petitioner had received the retirement benefits, but the earned leave to be calculated as 32 days per year and 90 days of private affairs leave had not been granted to the petitioner herein. Seeking those amounts together with interest owing to delayed payment, the present writ petition has been filed. It is also seen that, there was a commitment by the respondents, in an earlier writ petition, to pay the



amount, but they cited financial constrains in paying the amount. This would effectively mean that the petitioner is entitled for the said amount.

3. Taking all the factors into consideration, a direction is given to the respondents to examine the service register of the petitioner and pay the earned leave at 32 days per year of completed service and 90 days of private affairs leave encashment, from the date of retirement till the date of actual disbursement together with interest at 6% per annum. The entire exercise must be completed within a period of four months from the date of receipt of a copy of this order.

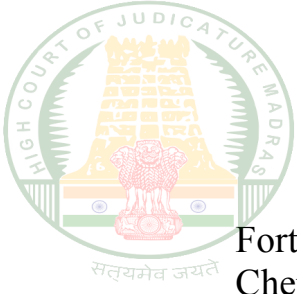
4. With the above observations, this Writ Petition stands disposed of.
No costs.

06.03.2025

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Index: Yes/No
Internet: Yes/No

To

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C.V.KARTHIKEYAN,J.

smv



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