



W.P.No.24685 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 30.04.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.24685 of 2019

M.Nagarajan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Salai,
Kilpauk, Chennai - 10.

2.The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Sachidanandha Mooppanar Road,
Tanjore, Tanjore District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to take appropriate action against the second respondent for not implementing the first respondent's order in his proceedings AE7/61432/2014 dated 28.04.2015.

For Petitioner : Mr.C.Prakasam

For Respondents : Dr.R.Gowri, Standing Counsel



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ORDER

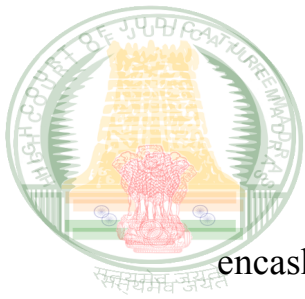
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This Writ Petition has been filed to direct the first respondent to take appropriate action against the second respondent for not implementing the first respondent's order in his proceedings AE7/61432/2014 dated 28.04.2015.

2. Heard Mr.C.Prakasam, learned counsel for the petitioner, Dr.R.Gowri, learned Standing Counsel for the respondents and perused the materials available on record.

3. The grievance of the petitioner is that the first respondent has passed an order to allow the petitioner to go on retirement at the Afternoon of 30.04.2015. The petitioner had given a written representations to the second respondent on 18.11.2017 and 27.01.2019 and requested for disbursement of retirement benefits. But so far no order has been passed.

4. In the order dated 28.04.2015, the first respondent has requested the second respondent to relieve the petitioner and also to settle the



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encashment of earned leave, unearned leave on private affairs available at the credit of the petitioner after adjusting the pending dues and also after getting clearance report for the un-audited period from 01.10.2014 to 30.04.2015 from the Manager (Audit), Thanjavur Zone and to adjust the recovery if any issued during the un-audited period from the encashment of earned leave and unearned leave on private affairs, payable to the petitioner. However, the petitioner was directed to be paid with gratuity and provident fund after observing usual formalities.

5. The petitioner has been paid with gratuity and provident fund. The dispute is only with regard to the encashment of leave as ordered by the first respondent. The petitioner has misconstrued that his entitlement of encashment of leave is after deducting Rs.97,900/- towards the pending dues, which is not inclusive of the deficit if any noticed during the un-audited period from 01.10.2014 to 30.04.2015.

6. The learned Standing Counsel for the respondents submitted that the audit made for the period between 01.10.2014 to 30.04.2015



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revealed that the petitioner has caused loss of Rs.4 crores and the petitioner's due towards encashment of leave is much less than the amount lost and hence, the relief as sought by the petitioner should not be granted.

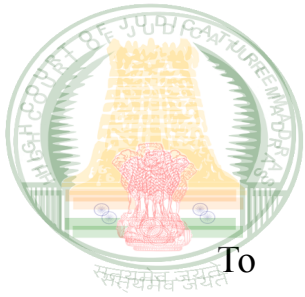
7. The learned counsel for the petitioner submitted that the petitioner does not accept the audit report and he is entitled to the leave benefit.

8. In such circumstances, it is for the petitioner to initiate action to challenge the audit report and get a clearance and then claim for the leave benefit as ordered by the first respondent.

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

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

30.04.2025



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To

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R.N.MANJULA, J.

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