



WEB COPY

WP No. 29856 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-08-2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

WP No. 29856 of 2025

1. M.Chinnappan

S/o Michael, No 4/256, 8th Street, Mgr
Nagar, Kottivakkam Chennai 600 041

Petitioner(s)

Vs

1. Park Town Co-operative Wholesale Stores
Ltd.,

Rep. By Its Joint Registrar / Administrator,
No 263 Mth Road, Villivakkam
Chennai 600 049
H Block, 15th Main Road, Anna Nagar
Chennai 600 040

Respondent(s)

PRAYER

Directing the respondent to pay the encashment of leave salary a sum of Rs 2,16,760/- to the petitioner based on the representation dated 09.05.2025 within a stipulated time and pass



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For Petitioner(s): C.Renuka
M. Reena
T. Dhanasekaran

For Respondent: Mr.M.Muthusamy,
Government Advocate

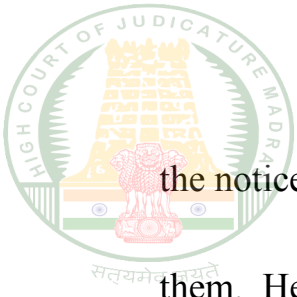
ORDER

The Writ Petition is filed for the below relief:

"directing the respondent to pay the encashment of leave salary a sum of Rs 2,16,760/- to the petitioner based on the representation dated 09.05.2025 within a stipulated time".

2. The brief facts which are culminated in the filing of this Writ Petition are set out below:

2.1. The petitioner was appointed as Salesman Grade-I in the office of the Park Town Co-operative Wholesale Stores Ltd on 26.06.1985 and his service was regularised on 12.03.2001. He attained the age of superannuation on 31.08.2017. The petitioner received the retirement benefits from the respondent on 04.09.2018 and 06.09.2018 respectively, however, the encashment of earned leave was not included in the retirement benefits. The same has been brought to



the notice of the respondent by representation, but the same has been rejected by them. Hence, the petitioner had approached the Joint Commissioner of Labour-

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I, Chennai for the claim of encashment of earned leave salary for 240 days. The same was allowed on 08.10.2021 in Sa.pa.Sa.No.31 of 2019 directing the respondent to pay the leave salary of Rs.2,16,760/- within 30 days from the date of the receipt of the copy of the order.

3. Aggrieved, the respondent had filed W.P.No.27540 of 2021 before this Court which was dismissed on 07.08.2024. Based on the order passed in W.P.No.27540 of 2021, the Revenue recovery proceedings had been initiated against the respondent, for which, the respondent sought a month's time for settling the leave salary to the petitioner. In the meanwhile, the respondent had preferred W.A.No.304 of 2025 against the dismissal order in writ petition and the same was also dismissed on 20.02.2025 by the Hon'ble Division Bench of this Court and the learned Judges had held that,

3. Though the learned counsel for the appellant would attempt to make a difference between privilege leave and earned leave, the Writ Court has found that both are the same with a different nomenclature. It is also seen from the order of the writ



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Court that the appellant had allowed encashment of privilege leave earlier. The learned Counsel for the appellant, would urge that since the appellant society is running under loss, leave encashment cannot be allowed, this argument is against the service jurisprudence. If the employee is entitled to certain benefits, the same cannot be taken away on the ground that the employer is running under loss".

4. On 05.04.2025, the petitioner issued a legal notice to the Respondent for which on 28.04.2025, the respondent issued a reply along with the copy of the letter addressed to the District Collector, Chennai dated 01.04.2025, requesting for granting some time to deposit the said amount. Again on 09.05.2025, another representation was sent to the respondent which is still pending. Hence, the petitioner had approached this Court by filing this writ petition.

5. Heard the learned Counsels and perused the records.

6. Considering the limited relief that is sought for, a mandamus is



issued to the respondent to dispose of the representation dated 05.02.2024

and deposit the amount due to the petitioner within a period of one (1) month

from the date of receipt of copy of this order in the light of the order in the

earlier writ petition.

7. Accordingly, this writ petition stands allowed. No costs.

11-08-2025

shl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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Stores Ltd.,
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Administrator, No 263 Mth Road,
Villivakkam Chennai 600 049 H Block,
15th Main Road, Anna Nagar Chennai
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