



W.P. Nos.31848 of 2025 etc. batch

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. Nos.31848, 31851, 31854, 31994, 31999,
32034, 32037 and 33413 of 2025

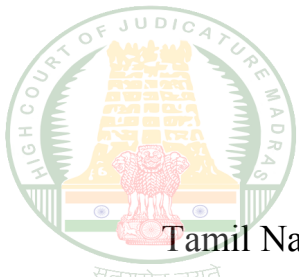
and

W.M.P. Nos.35660, 35662, 35667, 35840,
35846, 35899, 35904 and 37552 of 2025

K. Lizzy	 Petitioner in	W.P. No.31848 of 2025
P. Thangarajan	 Petitioner in	W.P. No.31851 of 2025
J. Prabakar	 Petitioner in	W.P. No.31854 of 2025
V. Ramachandran	 Petitioner in	W.P. No.31994 of 2025
S. Punitha	 Petitioner in	W.P. No.31999 of 2025
R. Narayanan	 Petitioner in	W.P. No.32034 of 2025
A. Bharathi	 Petitioner in	W.P. No.32037 of 2025
A. Rengasamy	 Petitioner in	W.P. No.33413 of 2025

VS.

1. Government of Tamil Nadu
Rep. by its Principal Secretary to Government,
Handlooms, Handicrafts,
Textiles and Khadi Department,
Fort. St. George,
Chennai – 600 009.
2. The Chief Executive Officer,



W.P. Nos.31848 of 2025 etc. batch

Tamil Nadu Khadi and Village Industries Board,

1st Floor,

Chennai House,

Chennai – 600 104

... Respondents

Common Prayer in W.P. Nos.31848, 31851, 31994, 31999, 32034 and 32037

of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Declaration, declaring the action of the respondents in not paying the commuted value of pension and encashment of unearned leave on private affairs to the petitioner consequent to his/her retirement on 31.05.2022, 29.02.2020, 30.04.2019, 31.07.2021, 31.01.2020 and 29.02.2020 respectively and not paying interest at the rate of 10% per annum on the delayed payment of Death cum Retirement Gratuity and encashment of earned leave as illegal, arbitrary and contrary to law and consequently direct the respondents to pay interest at the rate of 10% per annum on the delayed payment of Death cum Retirement Gratuity and encashment of earned leave, further direct the respondents to pay commuted value of pension and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this Court along with interest at the rate of 10% per annum from the date when the terminal benefits became due till the date of actual disbursement.

Prayer in W.P. No.31854 of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Declaration, declare the action of the respondents in not paying the commuted value of pension, encashment of earned leave to the extent of Rs.1,21,000/- and encashment of unearned leave on private affairs to the petitioner consequent to his retirement on 30.04.2023 and not paying interest at the rate of 10% per annum on the delayed payment of Death cum Retirement Gratuity and encashment of earned leave as illegal,



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arbitrary and contrary to law and consequently direct the respondents to pay interest at the rate of 10% per annum on the delayed payment of Death cum Retirement Gratuity and encashment of earned leave, further direct the respondents to pay commuted value of pension and encashment of earned leave to the extent of Rs.1,21,000/- and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this Court along with interest at the rate of 10% per annum from the date when the terminal benefits became due till the date of actual disbursement.

Prayer in W.P. No.33413 of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Declaration, declare the action of the respondents in not paying the commuted value of pension, encashment of earned leave to the extent of Rs.Rs.25,600/- and encashment of unearned leave on private affairs to the petitioner consequent to his retirement on 31.05.2023 and not paying interest at the rate of 10% per annum on the delayed payment of Death cum Retirement Gratuity and encashment of earned leave as illegal, arbitrary and contrary to law and consequently direct the respondents to pay interest at the rate of 10% per annum on the delayed payment of Death cum Retirement Gratuity and encashment of earned leave, further direct the respondents to pay commuted value of pension and encashment of earned leave to the extent of Rs.25,600/- and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this Court along with interest at the rate of 10% per annum from the date when the terminal benefits became due till the date of actual disbursement.

In all W.P.s

For petitioner : Mr.Balan Haridas

For Respondents : Mr.Yogesh Kannadasan,



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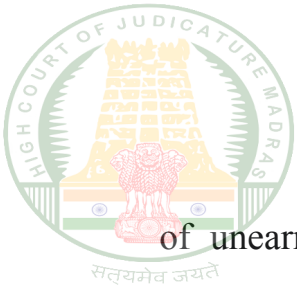
Spl. Govt. Pleader for R1
Mr.C. Rajakumar,
Standing Counsel for R2.

COMMON ORDER

These writ petitions have been filed for declaration declaring that the action of the respondents in not paying the commuted value of pension, Death cum Retirement Gratuity, encashment of earned leave and encashment of unearned leave on private affairs to the respective petitioners as illegal and also to direct the respondents to pay the same with interest.

2. The issue that arises for consideration in these writ petitions is one and the same and therefore, this Court is inclined to pass a common order.

3. The petitioner in these writ petitions have joined in the service of the 2nd respondent and retired from service on attaining the age of superannuation, on various dates respectively. The petitioners were duly relieved from their respective services. Though the petitioners were sanctioned in respect of pension, the respondents failed to pay the commuted value of pension and Death cum Retirement Gratuity. Apart from the said amounts, the 2nd respondent ought to have settled dues towards encashment of earned leave and encashment



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of unearned leave. However, the petitioners were not settled any amount

including the sanctioned amount.

4. Heard the learned counsel appearing on the either side and perused the materials placed before this Court.

5. Learned Standing Counsel appearing for the 2nd respondent submits that the 2nd respondent has addressed various letters to the 1st respondent for allotment of funds and the same was also informed to the petitioners. Further, he submits that only on allocation of funds, the 2nd respondent will be in a position to settle the dues of the petitioners, as per their seniority. Hence, he prays for issuance of appropriate directions by this Court as well as to stipulate any time frame.

6. Learned Special Government Pleader appearing for the 1st respondent submitted that due to financial crisis, the 1st respondent is unable to mobilize funds and steps will be taken, shortly to sort out the grievances of the petitioners. However, he has no objection for issuance of appropriate directions by this Court in the above regard.

7. Based on the aforesaid submissions, it is evident that due to financial crisis, the retiral benefits / terminal benefits due to the petitioners were not settled. It could be seen that the petitioners herein were retired from service



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prior to four years and the reason of financial distress cannot serve as a ground for making this kind of belated payments. Therefore, the said reason cannot be accepted by this Court and the petitioners, who were retired personnel's financial position have to be kept in mind.

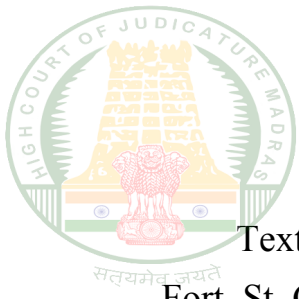
8. In such view of the matter, the 1st respondent is directed to allot necessary funds to the 2nd respondent for settling dues to the petitioners, within a period of six weeks from the date of receipt of a copy of this order. On such receipt, the 2nd respondent is directed to disburse the dues of the petitioners forthwith with applicable interest.

9. With the above directions, all these writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

03.09.2025

Internet: Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To
1. The Principal Secretary to Government,
Government of Tamil Nadu
Handlooms, Handicrafts,



W.P. Nos.31848 of 2025 etc. batch

Textiles and Khadi Department,
Fort. St. George,
Chennai – 600 009.

2. The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
1st Floor,
Chennai House,
Chennai – 600 104

A.D. JAGADISH CHANDIRA, J.

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