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W.P.No.39996 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.39996 of 2024

S.Mariyappan

...Petitioner

Vs

1. The Secretary to Government,
Animal Husbandry Dairying and Fisheries Department,
Fort St.George,
Chennai – 600009.

2. The Commissioner for Milk Production
and Dairy Development,
Madhavaram Milk Colony,
Madhavaram,
Chennai – 600 009.

3. The General Manager,
Dharmapuri District Co-operative Milk Producer Union,
Salem Bye Pass Road,
Krishnagiri – 635 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the amount for 90 days and 240 days of private affairs leave encashment together interest @ of 9% P.A for the delayed period till the date of payment within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr.J.Pradeep
For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondents to disburse the amount for 90 days and 240 days of private affairs leave encashment, together with interest at the rate of 9% per annum for the delayed period, till the date of payment, within the stipulated time as may be fixed by this Court.

3. The case of the petitioner is that he is an retired employee from the Respondent/Department. The grievance of the petitioner is that the respondents failed to disburse the amount for 90 days and 240 days of private affairs leave encashment, together with interest at the rate of 9% per annum for the delayed period. Therefore, the petitioner gave a



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representation to the third respondent on 21.08.2024 with regard to the said issue. However, no action has been taken by the third respondent till date. Hence this petition.

4.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioner and pass appropriate orders and pay the eligible amount to the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order. It is made clear that the amount should carry 6% interest per annum from the date on which the



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amount became due and payable till the date of disbursement, if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of disbursement.

7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

03.01.2025

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Index: Yes/No

Speaking order/Non-speaking order

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To

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V.BHAVANI SUBBAROYAN,J.

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