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W.A.No. 1489 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.A.No. 1489 of 2025

and

C.M.P.No. 11445 of 2025

1.The Secretary to Government of Tamil Nadu,
Public Works (E2) Department,
Fort St.George, Secretariat,
Chennai – 104.

2.The Engineer-in-Chief,
WRD cum Chief Engineer (General),
Public Works Department,
Chepauk, Chennai – 5.

...Appellants

Vs.

P.Pichaimani

... Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 04.10.2023 made in W.P.No.17666 of 2020.

For Appellants : Mr.T.Chandrasekaran
Special Government Pleader



J U D G M E N T

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(Judgment of the Court was made by R.SUBRAMANIAN, J.)

We do not see a case for interference in the appeal.

2. The claim of the respondent to Encashment of Leave, Special Provident Fund and 10% of the General Provident Fund has been allowed by the writ Court, despite the contention by the learned Government Pleader that since the respondent has been dismissed from service, he would not be entitled to those benefits.

3. While allowing the writ petition, the learned single Judge has only followed two Division Bench judgments of this Court in W.A(MD).No.105 of 2019 dated 31.07.2019 and W.A.No.958 of 2021 dated 13.08.2021. It is not in dispute that both the Division Bench judgments relate to the same issue namely, right to the benefits of leave encashment, special provident fund and general provident fund by an employee, who has been dismissed from service.



W.A.No. 1489 of 2

4. Hence, we do not see any reason to interfere with the order of the writ Court. This Writ Appeal therefore, fails and it is accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (K.G.T., J.)
10.06.2025

kkn

Internet: Yes / No

Index: Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No

To:-

1.The Secretary to Government of Tamil Nadu,
Public Works (E2) Department,
Fort St.George, Secretariat,
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2.The Engineer-in-Chief,
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R.SUBRAMANIAN, J.
and
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KKN

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