



WEB COPY



W.P. Nos.43322 of 2025 and etc batch

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM:

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. Nos.43322, 43328, 43336, 43343, 43347 & 43354 of 2025
and
W.M.P. Nos.48503, 48523, 48507, 48512, 48516 & 48530 of 2025

W.P.No.43322 of 2025

L.Stanley Prakashraj

.... Petitioner

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,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai – 600 108.

... Respondents

Prayer : Writ Petition is 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 encashment of unearned leave on private affairs to the petitioner consequent to his retirement on 30.06.2021 as illegal, arbitrary and contrary to law and consequently direct the respondents to pay 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.



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For petitioners : Mr.Balan Haridas
(in all W.Ps)

For R1 : Mr.Yogesh Kannadasan
(in all W.Ps) Special Government Pleader

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 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.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the first respondent. Perused the materials available on record.

3. The petitioners 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 same. However, the petitioners were not settled any amount including the sanctioned amount.



4. 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.

5. 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 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.

6. 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.



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7. With the above directions, all these writ petitions are allowed.

Consequently, connected miscellaneous petitions are closed. No costs.

18.11.2025

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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Note: Registry is directed to incorporate cause title for all the cases and issue order copy.

To

1. The Principal Secretary to Government,
Handlooms, Handicrafts, Textiles and Khadi Department,
Fort. St. George,
Chennai – 600 009.

2. The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai – 600 108.



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G.K.ILANTHIRAIYAN, J

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