



W.P.Nos.44532 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.44532 of 2025

and

WMP.No.49692 of 2025

M.Gurusamy

...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 filed under Article 226 of Constitution of India for the issuance of Writ of 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 petitioner consequent on his retirement on 30.09.2016 as illegal, arbitrary and contrary to law and consequently direct the respondents to pay commuted value of pension and encashment unearned leave on private affairs to the

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petitioner within the time frame stipulated by this Honorable Court along with interest at the rate of 10 percent per annum from the date when the terminal benefits became due till the date of actual disbursement.

For Petitioner : Mr.Balan Haridas
For Respondent : Mr.V.Jeevagiridharan, AGP.
For R.1 : Mr.C.Raja Kumar
Standing Counsel for R.2.

ORDER

This writ petition has 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 petitioner as illegal and also to direct the respondents to pay the same with interest.

2. The petitioner served the second respondent Board in various capacities and retired from service on 30.09.2016. The petitioner was duly relieved from his service. Though the petitioner was sanctioned in respect of pension, the respondents failed to pay the commuted value of pension. Apart from the said amount, the second respondent ought to have settled dues towards the encashment of unearned leave on private affairs. However, the petitioner was not settled any amount including the sanctioned amount.



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

4. The learned Additional Government Pleader and the learned Standing Counsel appearing for the respondents 1 and 2 respectively submitted that due to financial crisis the second respondent addressed the first respondent for allotment of funds. The second respondent also replied that immediately after allotment of funds from the first respondent, the petitioner will be settled with all benefits as per seniority. However, so far the first respondent belated to allot the funds to the second respondent to settle the terminal benefits to its employees. If the first respondent allotted funds to the second respondent so that, the second respondent can settle the dues to the retired employees.

5. In view of the above, the first respondent is directed to allot the funds in favour of the second respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to disburse the dues to the petitioner forthwith with applicable interest.



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6. With the above directions, this writ petition is allowed.

There shall be no order as to costs. Consequently, the connected

Miscellaneous Petition is closed.

20.11.2025

shr

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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.



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G.K.ILANTHIRAIYAN, J.

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