



W.P.No.44537 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 19.11.2025

CORAM:

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

W.P.No.44537 of 2025

M.Kandasamy

... 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 NAU KHADI AND VILLAGE INDUSTRIES BOARD,
Chennai House 1st Floor, Chennai 600 104

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a 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 on his retirement on 31.05.2021 as illegal, arbitrary and contrary to law and consequently 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 percent per annum from the date when the terminal benefits became due till the date of actual disbursement

For Petitioner : Mr.Balan Haridas



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For Respondents

For R1 : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

This writ petition has been filed for 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 on his retirement on 31.05.2021 as illegal, arbitrary and contrary to law and consequently to 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 percent per annum from the date when the terminal benefits became due till the date of actual disbursement

2. This issue has already been dealt with by this Court in a batch of writ petitions in WP.No.31848 of 2025, etc. batch and this Court by order dated 03.09.2025 issued a direction for allotment of necessary funds. The relevant portion of the order is extracted hereunder:

7. Based on the aforesaid submissions, it is evident that due to financial crisis, the retiral benefits /



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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.

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.

3. Therefore, the same direction can be issued in this writ petition as well. Accordingly, the 1st respondent is directed to allot necessary funds to the 2nd respondent for settling dues to the petitioner, 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 petitioner forthwith with applicable interest.



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4. With the above direction, this writ petition stands allowed.

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There shall be no order as to costs.

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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