



WEB COPY



W.P.No.44415 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM :

THE HONOURABLE MR JUSTICE G.K.ILANTHIRAIYAN

W.P.No.44415 of 2025

G.Seenivasan

... Petitioner

Vs.

1.Government of Tamilnadu
Rep.by its Principal Secretary to Government,
Handlooms, Handicrafts, Textiles And Khadi Department,
Fort St.George,
Chennai-600 009

2.The Chief Executive Officer
Tamilnadu 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 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 31.8.2016 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 Hon'ble 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.



W.P.No.44415 of 2025

For Petitioner : M/s.Balan Haridas
For R1 : Mr.R.Murthi
Government Advocate

ORDER

This Writ petition has been filed seeking a 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 as illegal and also to direct the respondents to pay the same along with interest.

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

3.The petitioner joined the service of the 2nd respondent on 24.03.1984 and retired from service on attaining the age of superannuation, on 31.08.2016. 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 and encashment of unearned leave on private affairs. Apart from the said amounts, the 2nd respondent ought to have settled dues towards encashment of earned leave and encashment



W.P.No.44415 of 2025

of unearned leave. However, the petitioners were not settled any amount including the amounts already sanctioned.

WEB COPY

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 petitioner. 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 petitioner were not settled. It could be seen that the petitioner 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 petitioner, who was retired personnel's financial position has 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 petitioner,



W.P.No.44415 of 2025

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.

WEB COPY

7. With the above directions, this writ petition is allowed. No costs.

18.11.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes / No
Lpp

To:

1.The Principal Secretary to Government,
Government of Tamilnadu
Handlooms, Handicrafts, Textiles And Khadi Department,
Fort St.George,
Chennai-600 009

2.The Chief Executive Officer
Tamilnadu Khadi and Village Industries Board,
Kuralagam, Chennai-600 108



WEB COPY



W.P.No.44415 of 2025

G.K.ILANTHIRAIYAN.,J.

Lpp

W.P.No.44415 of 2025

18.11.2025