



W.P.(MD)No.1472 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.1472 of 2025

R.Matheswaran

... Petitioner

Vs.

1. The Chief Educational Officer,
Office of the Chief Educational Officer,
Anbu Nagar, Karur-639 007,
Karur District.

2. The Headmaster,
Government Higher Secondary School,
Lalapettai, Krishnarayapuram Taluk,
Karur District.

3. The Accountant General (Accounts and Entitlements),
Office of the Principal Accountant General,
No.361, Anna Salai, Teynampet,
Chennai-600 018.

4. The Sub Treasury Officer,
Office of the Sub Treasury Officer,
Krishnarayapuram Town and Taluk,
Karur District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to disburse the Encashment of Leave Salary, unearned Leave Salary and Special Provident Fund of the petitioner payable to him by considering his representation dated 05.12.2024.

For Petitioner : Mr.C.Gangai Amaran
For Respondent Nos.1, 2 & 4 : Mr.M.Siddharthan
Additional Government Pleader
For Respondent No.3 : M/s.S.Mahalakshmi

ORDER

Heard, the learned Counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents and perused the material available on record.

2. The case of the petitioner is that the petitioner was initially appointed as a BT Assistant on 21.03.1997. He was retired from service as Headmaster on attaining age of superannuation on 31.03.2024, while working in the second respondent school. Thereafter, he was allowed to continue to work as Headmaster during the academic year as a re-employment of service from 01.04.2024 till 31.05.2024. The first respondent has issued proceedings 18.06.2024, for payment of pension for a sum of Rs.33,270/- per month. After

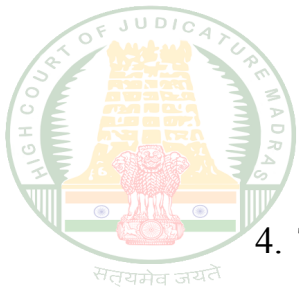


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retirement from service, the petitioner is entitled for Unearned leave salary. The

first respondent has issued proceedings on 28.06.2024, directing the third respondent to disburse the said unearned leave salary to the petitioner immediately. Besides, the petitioner is also eligible for Special Provident Fund/Gratuity amount to the tune of Rs.43,625/-. But, there was no disbursement to the petitioner. Requesting the same, the petitioner has submitted a representation to the first respondent on 05.12.2024. Till date, the respondents did not take any action for the payment of the said amounts by considering the representation of the petitioner dated 05.12.2024. Against the in action of the respondents, the present writ petition has been filed.

3. On the other hand, the learned Additional Government Pleader, on instructions submits that the first respondent has issued No Objection in favour of the petitioner on 06.01.2025 and issued proceedings on 22.02.2025, directing the third respondent to disburse the eligible amounts to the petitioner as claimed by the petitioner. In view of the same, the learned Additional Government Pleader submits that within a couple of days, the amounts claimed by the petitioner will be disbursed to the petitioner.



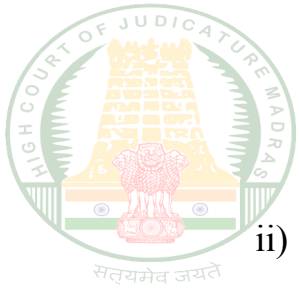
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4. The learned Standing Counsel appearing for the third respondent on instructions submits that till date they have not received any proposals from the second respondent and after receipt of the proposal they will take appropriate steps in accordance with law.

5. Considering the facts and circumstances of the case, it appears that the first respondent considered the representation of the petitioner dated 05.12.2024 and he sent a communication to the second respondent dated 22.02.2025, directed to sent proposals for disbursement of the amount as claimed by the petitioner to the third respondent. Now, the second respondent has to sent the proposal.

6. In these circumstances, this writ petition is disposed of with the following directions to meet the interest of justice :

i) The second respondent shall sent the proposal forthwith to the third respondent in the light of the proceedings dated 22.02.2025 issued by the first respondent for settlement of the claim made by the petitioner in his representation dated 05.12.2024.



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ii) on receipt of the proposal from the second, the third respondent shall consider the same and take steps to disburse the amounts in accordance with law within a period of two weeks thereafter.

7. Accordingly, this Writ petition is disposed of. No costs.

12.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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BATTU DEVANAND, J.

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