



W.P.(MD)No.9626 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.9626 of 2025

G.Kathiresan

... Petitioner

Vs.

- 1.The Registrar,
Tamilnadu Agricultural University,
Coimbatore.
- 2.The Deputy Director,
Local Fund Audit,
Tamilnadu Agricultural University,
Coimbatore.
- 3.The Comptroller,
Tamilnadu Agricultural University,
Coimbatore.
- 4.The Dean,
Agricultural Engineering College
and Research Institute (AEC and RI),
Kumulur, Trichy.
- 5.The Principal Institute of Agriculture,
Agricultural Engineering College and
Research Institute (AEC and RI),
Kumulur, Trichy.

... 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 to pay encashment of leave salary from 30.12.2014 to 07.09.2015 along with interest and interest on delayed payment of retirement benefits for the period from 01.04.2018 to 30.10.2020 to the petitioner by considering his representation dated 18.02.2025 and his Legal Notice dated 27.05.2024, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For R1, R3 to R5 : Mr.A.Thirumoorthy
Standing Counsel

For R2 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

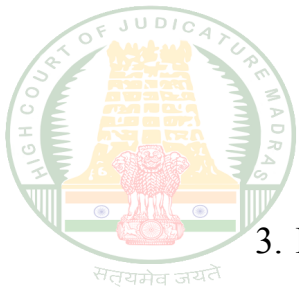
Heard the learned counsel for the petitioner, the learned Standing Counsel for the respondents 1, 3 to 5, the learned Additional Government Pleader for the second respondent and carefully perused the materials available on record.

2. The case of the petitioner is that he is a senior citizen aged about 67 years and suffering with various health ailments. He is a retired professor. He retired on 31.03.2018 as Professor on attaining the age of superannuation from



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the first respondent University. While in service, he was suspended on 30.12.2014 followed by a memo, dated 08.04.2015. Thereafter, after completion of enquiry final orders have been passed imposing a punishment of stoppage of one increment without cumulative effect. Subsequently, the said order was revoked and period of suspension was treated as duty. But even after 2 years of his retirement, he was not paid retirement and terminal benefits. Earlier, he filed writ petition in W.P(MD)No.9186 of 2020 before this Court and during the pendency of the same, he was paid an amount of Rs.82,15,797/- towards the retirement benefits. But the recovery had been made from the terminal benefits for suspension period from 30.12.2014 to 07.09.2015. Hence, the petitioner approached the respondents and requested them to pay the encashment of leave salary with interest and also disburse interest for delay of payment of pension and retirement benefits for the period from 01.04.2018 to 30.10.2020. He submitted a representation and legal notice, dated 27.05.2024 to the respondents. Subsequently, he sent a representation on 18.02.2025 to the respondents requesting to disburse encashment of leave salary along with interest. It was not considered by the respondents. Aggrieved by the inaction of the respondents in considering the representation, he is constrained to file this writ petition.



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3. Having considered the submissions of the respective learned counsels and on careful perusal of the materials available on records, in the considered opinion of this Court, it is reasonable and appropriate to dispose of the writ petition at the admission stage with the consent of both parties without going into the merits of the case with a direction to the first respondent to consider the representation, dated 18.02.2025 submitted by the petitioner and pass appropriate orders in accordance with law within a time to be stipulated herein under to meet the ends of justice.

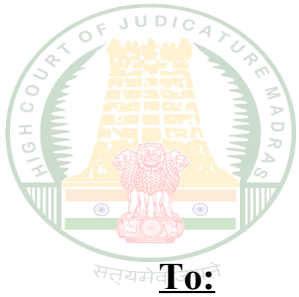
4. Accordingly, this writ petition is disposed of with a direction to the first respondent to consider the representation, dated 18.02.2025 submitted by the petitioner and pass appropriate orders in accordance with law within a period of 8 weeks from the date of receipt of a copy of this order.

No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

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BATTU DEVANAND, J.

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