



W.P.(MD)No.19658 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19658 of 2025

and

W.M.P.(MD)No.15104 of 2025

M.Chinnappan

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Limited,
Head Office,
CMRL Administration Block,
Poonamlli, Coimbedu,
Chennai - 600 107.

2.The Deputy Collector / Regional Manager,
Tamil Nadu Civil Supplies Corporation,
SIDCO Complex, Konam,
Kanyakumari Region,
Kanyakumari.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the interest at the rate of 18% per annum for the belated payment of encashment of earned leave from 31.01.2020 to 20.02.2025 and disburse the same to the petitioner, within the time frame that may be stipulated by this Court.



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For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

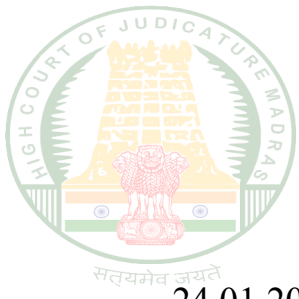
For Respondents : Mr.K.R.Badurus Zaman
Standing Counsel

ORDER

This Writ Petition is filed seeking a direction to the respondents to pay interest at the rate of 18% per annum for the belated payment of encashment of earned leave for the period from 31.01.2020 to 20.02.2025 and to disburse the same to the petitioner, within the time frame as may be stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner submits that he retired from service on 31.01.2020 on attaining the age of superannuation, having last served in the cadre of 'Deputy Regional Manager'. While all retirement benefits were disbursed, the amount due towards encashment of earned leave was unlawfully withheld by the respondents, citing pending disciplinary recovery related to the non-audit period between 01.10.2019 and 31.01.2020. The petitioner had already given an undertaking on



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24.01.2020 allowing any such recovery, if found due, to be adjusted against the earned leave amount. Despite repeated representations dated 20.09.2021, 29.05.2024 and 19.03.2025, no steps were taken to disburse the amount. Only after the petitioner was compelled to file W.P.(MD)No.20413 of 2024 and later, a contempt petition for non-compliance, the earned leave encashment amount of Rs.8,10,252/- was finally released on 20.02.2025. The petitioner contends that withholding the earned leave benefit after retirement was unjustified and contrary to law, as such benefit is a vested right earned during service and cannot be denied. He now seeks payment of interest for the inordinate delay in releasing the said benefit, which caused financial hardship, despite no fault on his part.

4. Heard both sides.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and



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hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 19.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of one month from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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