



W.P.(MD)No.21161 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2025

CORAM

**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**

**W.P.(MD)No.21161 of 2021**

S.Helen Arockia Santhi

... Petitioner

Vs.

1.The District Educational Officer,  
Sivagangai.

2.The Block Educational Officer,  
Ilayankudi Union,  
Sivagangai District.

3.Angel Brite,  
Head Master,  
Panchayat Union Elementary School,  
Katchathanallur,  
Ilayankudi Union,  
Sivagangai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Writ of Mandamus, directing the respondents to sanction the T.P.F. part final of Rs.3,50,000/-, earned leave surrender and festival advance by considering petitioner representation 22.10.2021.



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|                |                                                  |
|----------------|--------------------------------------------------|
| For Petitioner | : Mr.V.Paneer Selvam                             |
| For R-1 & R-2  | : Mr.S.Shaji Bino,<br>Special Government Pleader |
| For R-3        | : Mr.C.K.M.Appaji                                |

### **ORDER**

This writ petition has been filed for a mandamus, seeking for a direction to the respondents to sanction the T.P.F. part final of Rs.3,50,000/-, earned leave surrender and festival advance based on the petitioner's representation dated 22.10.2021.

2. A counter affidavit has been filed by the first respondent, wherein, at paragraph No.5, it has been stated that the second respondent has sanctioned a sum of Rs.3,45,000/- by his order dated 02.12.2021 based on the petitioner's application.

3. The learned counsel appearing for the petitioner, on instructions, submits that the said sum has been received by the petitioner subsequent to the filing of this writ petition. He would further on instructions submit that the earned leave surrender payable to the petitioner has not been paid till date, despite the petitioner's earlier representation dated 22.10.2021. He also relied



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upon G.O.(Ms).No.35, Human Resources Management (FR-III) Department,

dated 30.06.2025, in support of the petitioner's case that she is entitled for earned leave surrender as well. According to the petitioner, only due to the negligence on the part of the third respondent, the petitioner has not been able to receive the earned leave surrender. However, the contention of the learned counsel appearing for the petitioner is disputed by the learned Special Government Pleader appearing for respondent Nos.1 and 2, who would submit that the actual amount due and payable to the petitioner has already been disbursed to the petitioner and therefore, no further amounts are due and payable by the respondents to the petitioner.

4. Since a sum of Rs.3,45,000/- has already been received by the petitioner based on the representation of the petitioner dated 22.10.2021, only nominal amounts are still due and payable towards earned leave surrender, which the respondent denies liability, this Court is of the considered view that this writ petition can be disposed of by granting liberty to the petitioner to submit a fresh representation seeking for payment of earned leave surrender and a direction can be issued to the respondents to consider the said representation on merits and in accordance with law within a time frame to be fixed by this Court.



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**WEB COPY** 5. For the foregoing reasons, this writ petition is disposed of by directing the petitioner to submit his fresh representation with regard to the alleged non-payment of earned leave surrender by the respondents within a period of two weeks from the date of receipt of a copy of this order. The petitioner in the said representation can also refer to G.O.(Ms).No.35, Human Resources Management (FR-III) Department, dated 30.06.2025. On receipt of the said representation within the stipulated time, the second respondent shall pass final orders on merits and in accordance with law within a period of eight weeks thereafter. No costs.

**10.09.2025**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
TSG

**To**

- 1.The District Educational Officer,  
Sivagangai.
- 2.The Block Educational Officer,  
Ilayankudi Union,  
Sivagangai District.



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**ABDUL QUDDHOSE, J.**

TSG

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