



W.A.(MD).No.2708 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.2708 of 2024
and
C.M.P.(MD).No.18717 of 2024

The Superintending Engineer,
TANGEDCO
Thanjavur Electricity Distribution Circle,
No.1, Vallam Road,
Thanjavur District.

... Appellant/Respondent

Vs.

K.Jayaseelan

... Respondent/Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order made in W.P.(MD).No.19050 of 2020 dated 26.02.2024 on the file of this Court and allow this Writ Appeal.

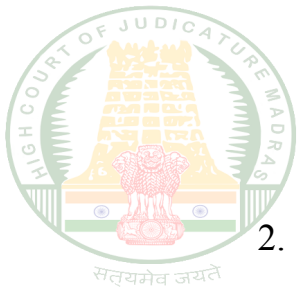
For Appellant : Mr.B.Ramanathan

For Respondent : Mr.S.Anwar Sameem

JUDGMENT

(Judgment of the Court was made by M.S.RAMESH,J.)

This Writ Appeal has been filed against the order of the learned Single Judge in W.P.(MD).No.19050 of 2020 dated 26.02.2024.

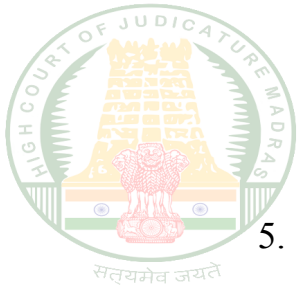


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2. On the ground that a dismissed employee of TANGEDCO would not be entitled for claiming the earned leave salary in view of the Full Board decision in (PER) FB TANGEDCO Proceedings No.13 dated 18.06.2022, the present Writ Appeal has been filed.

3. Several Coordinate Benches of this Court have been consistently taking the view that even though an employee is dismissed from service pursuant to the disciplinary proceedings, he would be entitled for certain monetary benefits including the earned leave salary. The learned Single Judge had placed reliance on some of those decisions of the Coordinate Benches and had come to the conclusion that the dismissed employee would be entitled for earned leave salary.

4. Insofar as (PER) FB TANGEDCO Proceedings No.13 dated 18.06.2022 is concerned, it is needless to point out that the same would have only a prospective effect and therefore, placing reliance on the same in the case of the respondent/employee, who was dismissed from service on 11.04.2019, is a misconception and therefore, such a ground does not deserve consideration.



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5. Accordingly, the Writ Appeal stands dismissed. In view of the dismissal of the present appeal, the appellant is directed to disburse the earned leave salary to the respondent within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
07.01.2025

NCC : Yes / No
Index : Yes / No
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