



WEB COPY

WP No. 1873 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP Nos. 1873, 1887, 1866 and 1886 of 2026

W.P.No.1873 of 2026

G.Kumar
S/o. N.Govindasamy (Late)
No. 1/ 484/ 6 Vinayaga Nagar,
Vidhaipannai Opposite,
Kurupanaickenpalayam
Bhavani Taluk,
Erode 638 301

..Petitioner(s)

Vs

1. Government of Tamil Nadu
rep. by its Principal Secretary to Government
Handlooms, Handicrafts, Textiles and Khadi
Department,
Fort St. George, Chennai-09.
2. The Chief Executive Officer
Tamil Nadu Khadi and Village Industries Board ,
Chennai House 1st floor,
Chennai- 104.

..Respondent(s)



WP No. 1887 of 2026

S. Dhanalakshmi
W/o S. Chandrasekaran
No 347/270, Agrahara Street
Erode 638 001

..Petitioner(s)

Vs

1. Government of Tamil Nadu
rep. by its Principal Secretary to Government
Handlooms, Handicrafts, Textiles and Khadi
department,
Fort St. George, Chennai-09.
2. The Chief Executive Officer
Tamil Nadu Khadi and Village Industries Board ,
Chennai House 1st floor,
Chennai- 104.

..Respondent(s)

WP No. 1866 of 2026

R.Thilagavathi
W/o. M.Vengatachalam,
No. 3/603 , Kooturavunagar,
Sullipalayam post,
Thudupathi via,
Erode 638 057

..Petitioner(s)

Vs

1. Government of Tamil Nadu
rep. by its Principal Secretary to Government
Handlooms, Handicrafts, Textiles and Khadi
department,



Fort St. George, Chennai-09.

2. The Chief Executive Officer
Tamil Nadu Khadi and Village Industries Board ,
Chennai House 1st floor,
Chennai- 104.

..Respondent(s)

WP No. 1886 of 2026

J. Jayakumar
S/o jayaraj
M 731, Muthampalayam Housing Unit
Phase 3, Kasipalayam Post
Erode 638 009

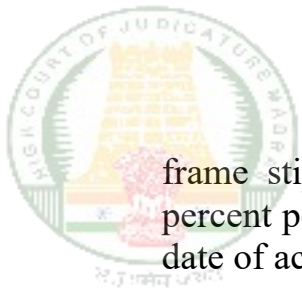
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1. Government of Tamil Nadu
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2. The Chief Executive Officer
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..Respondent(s)

Prayer in WP No. 1873 of 2026: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Declaration declaring the action of the Respondents in not paying the commuted value of pension and encashment of unearned leave on private affairs to the petitioner consequent to her retirement on 31.03.2020 as illegal, arbitrary and contrary to law and consequently direct the respondents to pay commuted value of pension and encashment of unearned leave on private affairs to the petitioner within the time



frame stipulated by this Honble court along with interest at the rate of 10 percent per annum from the date when the terminal benefits became due till the date of actual disbursement.

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Prayer in WP No. 1887 of 2026: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Declaration declaring the action of the Respondents in not paying the commuted value of pension and encashment of unearned leave on private affairs to the petitioner consequent to her retirement on 31.05.2016 as illegal, arbitrary and contrary to law and consequently direct the respondents to pay commuted value of pension and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this Honble court along with interest at the rate of 10 percent per annum from the date when the terminal benefits become due till the date of actual disbursement.

Prayer in WP No. 1866 of 2026 : The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Declaration declaring the action of the Respondents in not paying the commuted value of pension and encashment of unearned leave on private affairs to the petitioner consequent to her retirement on 31.05.2019 as illegal, arbitrary and contrary to law and consequently direct the respondents to pay commuted value of pension and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this Honble court along with interest at the rate of 10 percent per annum from the date when the terminal benefits become due till the date of actual disbursement.

Prayer in WP No. 1886 of 2026: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Declaration declaring the action of the Respondents in not paying the commuted value of pension and encashment of unearned leave on private affairs to the petitioner consequent to her retirement on 31.05.2018 as illegal, arbitrary and contrary to law and consequently direct the respondents to pay commuted value of pension and encashment of unearned leave on private affairs to the petitioner within the time frame stipulated by this Honble court along with interest at the rate of 10 percent per annum from the date when the terminal benefits become due till the date of actual disbursement.



For Petitioner(s): Mr. Balan Haridas

in all W.Ps.

For Respondent(s): Mr. R. U. Dinesh Raj Kumar

in all W.Ps.

Additional Government Pleader for R1

Mr. C. Raj Kumar, Standing Counsel for R2

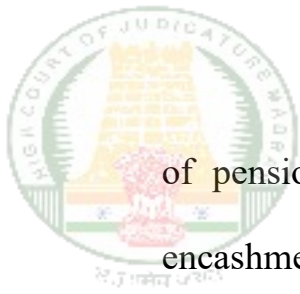
COMMON ORDER

By consent, the writ petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions have been filed for declaration declaring that the action of the respondents in not paying the commuted value of pension and encashment of unearned leave on private affairs to the respective petitioners as illegal and also to direct the respondents to pay the same with interest.

3. The issue that arises for consideration in these writ petitions is one and the same and therefore, this Court is inclined to pass a common order.

4. The petitioner in these writ petitions have joined in the service of the second respondent and retired from service on 31.03.2020, 30.04.2016, 31.05.2019 and 31.05.2018, respectively. The petitioners were duly relieved from their respective services. Though the petitioners were sanctioned in respect



of pension, the respondents failed to pay commuted value of pension and encashment of unearned leave on private affairs.

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5. Heard the learned counsel appearing on the either side and perused the materials placed before this Court.

6. The learned Additional Government Pleader submitted that due to financial crisis, the first respondent is unable to mobilize funds and further submitted that the second respondent has addressed various letters to the first respondent for allotment of funds and the same was also informed to the petitioners. Further, he submits that only on allocation of funds, the second respondent will be in a position to settle the dues of the petitioners, as per their seniority. Hence, he prays for issuance of appropriate directions by this Court as well as to stipulate any time frame.

7. Based on the aforesaid submissions, it is evident that due to financial crisis, the retiral benefits / terminal benefits due to the petitioners were not settled. It could be seen that the petitioners herein were retired from service prior to four years and the reason of financial distress cannot serve as a ground for making this kind of belated payments. Therefore, the said reason cannot be accepted by this Court and the petitioners, who were retired personnel's financial position have to be kept in mind.



8. In such view of the matter, the first respondent is directed to allot necessary funds to the second respondent for settling dues to the petitioners, within a period of six weeks from the date of receipt of a copy of this order. On such receipt, the second respondent is directed to disburse the dues of the petitioners forthwith with applicable interest.

9. With the above directions, the writ petitions are disposed of. No costs.

29-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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Government of Tamil Nadu
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M.DHANDAPANI J.

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