



WEB COPY

WP No. 4874 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 4874 of 2026

V.Marianesam

..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 600 009.

2. The Chief Executive Officer,
Tamil Nadu Khadi and
Village Industries Board,
Chennai House 1st Floor,
Chennai 600 104.

..Respondent(s)

Prayer: This writ petition has been filed under Article 226 of the Constitution of India praying to issue 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 on his retirement on 31/05/2017 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 Hon'ble Court along with interest at rate of 10% per annum from the date when the terminal benefits became due till the date of actual disbursement.



For Petitioner(s) : Mr.Balan Haridas
For Respondent(s) : Mr.Raman Lal, AAG
Assisted by
Mr.Yogesh Kannadasan, SGP for R1
Mr..Rajakumar for R2

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petitions has 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 petitioner as illegal and also to direct the respondents to pay the same with interest.

3. The petitioner in this writ petition has joined in the service of the second respondent and retired from service on 31.05.2017. The petitioner was duly relieved from her service. Though the petitioner was sanctioned in respect of pension, the respondents filed to pay commuted value of pension and encashment of unearned leave on private affairs.

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



5. The learned Additional Advocate General submitted that due to financial crises, 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 petitioner. Further, he submits that only on allocation of funds, the second respondent will be in a position to settle the dues of the petitioner, as per her seniority. Hence, he prays for issuance of appropriate direction by this Court as well as to stipulate any time frame.

6. Based on the aforesaid submissions, it is evident that due to financial crisis, the retiral benefits/terminal benefits due to the petitioner was not settled. It could be seen that the petitioner herein was 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 petitioner, who was retired personnel's financial position has to be kept in mind.

7. In such view of the matter, the first respondent is directed to allot necessary funds to the second respondent for settling dues to the petitioner, 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 petitioner forthwith with applicable interest.

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With the above directions, this writ petition is disposed of. No costs.

13-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM



To:

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Handlooms, Handicrafts, Textiles
and Khadi Department,
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Chennai 600 009.
2. The Chief Executive Officer,
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M.DHANDAPANI, J.

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