



W.P.Nos. 5267 and 5527 of 2026

within the time frame stipulated by this Court along with interest at the rate of 10% p.a., from the date when the terminal benefits became due till the date of actual disbursement.

Prayer in W.P. No.5527 of 2026: Writ Petition 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 on her retirement on 30/6/2016 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 Court along with interest at the rate of 10% p.a., from the date when the terminal benefits became due till the date of actual disbursement.

In both W.P.s

For Petitioner : Mr.Balan Haridas
For Respondents : Mr.R.Ramanlal
Additional Advocate General
Assisted by Mr.Yokesh Kannadasan
Spl.Govt. Pleader for R1
Mr.C.Ramkumar for R2

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COMMON ORDER

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By consent, these 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 31.05.2016 and 30.06.2016 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.



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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, these writ petitions are disposed of. No costs.

18.02.2026

Index: Yes/No
Neutral Citation : Yes / No
vsi2

To

1. The Principal Secretary to Government
Government of Tamil Nadu
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, I Floor
Chennai 600 104.



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M.DHANDAPANI, J.

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