

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.41625 of 2016

N.Rajendran

...Petitioner

vs.

1. The District Collector,
Kanchipuram District.

2. The Revenue Divisional Officer,
RDO Office,
Tambarm Division,
Tambaram, Chennai-59.

3. The Tahsildar,
Sholinganallur Taluk,
Kumaran Nagar,
Sholinganallur.

...Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 14.07.2016 and to pass orders thereon within a time frame fixed by this Court.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 14.07.2016 and to pass orders thereon within a time frame fixed by this Court.

3. According to the petitioner, he was selected to the post of Village Administrative Officer in 1984 through Tamil Nadu Public Service Commission. Between 1984 and 2006, he served as the Village Administrative Officer in several places without any leave. During 2007, when he was working in Vayalur Village, Thirukazhikundram Taluk, he was suffering from Kidney Stone. Hence, he applied for medical leave from 15.04.2007 to 14.11.2007. Thereafter, he rejoined duty and posted in Vasuvasamudram Village where he worked till 19.10.2010. Thereafter, he joined Pallavaram II Village in 2010 and once again afflicted with kidney stones and was forced to go on leave till 05.06.2011. After rejoining duty, he was posted at Uthandi Village from where he was transferred to Nanmangalam Village, Sholinganallur Taluk. He retired from service on 31.03.2015.

4. The grievance of the petitioner is that the salary payable to him while he was on medical leave was not disbursed. In this regard, the 3rd respondent has sent his file to the 2nd respondent and the same is pending with the 2nd respondent without passing any orders. According to the petitioner, he is eligible for 540 days of medical leave. In this regard, the petitioner sent a representation dated 14.07.2016 to the 2nd respondent. But, no action has been taken on the same. Hence, the present Writ Petition.

5. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

6. Considering the facts and circumstances of the matter, without going into the merits of the claim made by the petitioner, this Court directs the petitioner to give a copy of the representation dated 14.07.2016 along with a copy of this Order to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this Order and on receipt of the same, the 2nd respondent is directed to consider and pass orders on the same on merits and in accordance with law, within a period of six weeks thereafter.

7.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

tsi

To

1. The District Collector,
Kanchipuram District.
2. The Revenue Divisional Officer,
RDO Office,
Tambarm Division,
Tambaram, Chennai-59.
3. The Tahsildar,
Sholinganallur Taluk,
Kumaran Nagar,
Sholinganallur.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No. 69491

+1cc to the Government Pleader, S.R.No. 70085

KS (CO)
PSI (28/12/2016)

W.P.No.41625 of 2016

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