

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. No. 22157 of 2017

Dr. E. Rajkumar

..Petitioner

Vs.

1. The Director of Public Health and Preventive Medicine,
Anna Salai,
DMS Complex,
Teynampet,
Chennai-600 006.

2. The Deputy Director of Health Services,
Public Health and Preventive Medicine,
Old District Board,
Salem District-636 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, or any other writ of order or direction in the nature of writ, directing the second respondent to consider the petitioner's representation dated 11.04.2017 to disburse the earned leave surrender encashment from 11.09.2014 and the first increment with effect from 01.07.2011 within a stipulated time.

For Petitioner : Ms. A. Chandra
For Respondents : Mr. C.C. Rangarajan,
Government Advocate

W R D E R

The relief sought for in the writ petition is to direct the second respondent to consider the representation submitted by the writ petitioner, so as to disburse the eligible earned leave surrender encashment with effect from 01.07.2011.

2.The learned counsel appearing for the writ petitioner Ms. A. Chandra is contended that the writ petitioner is holding the post of Assistant Surgeon, Government Primary

Health Centre, Omalur Taluk, Salem district, and his right of earned leave and surrender encashment are not granted for the past two and half years. In this regard, the writ petitioner has submitted a representation on 11.04.2017 to the second respondent. The second respondent has not passed any final order on the petitioner's representation with regard to disbursement of eligible service and monitory benefits.

3.Thus, without going to merits and demerits, claim made by the writ petitioner, the second respondent is directed to consider the representation submitted by the writ petitioner on 11.04.2017 and pass orders on merits in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4.With the above directions, the writ petition is disposed of. However, no order as to costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

rpl

To

1. The Director of Public Health and Preventive Medicine,
Anna Salai,
DMS Complex,
Teynampet,
Chennai-600 006.

2. The Deputy Director of Health Services,
Public Health and Preventive Medicine,
Old District Board,
Salem District-636 001.

+1cc to the Government Pleader, Sr. 60571

+1cc to M/S.S.T.P.KUilmohzhi, Advocate Sr. 59696

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PPA (CO)
VR(14/09/2017)