

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26634 of 2017

N.Boopathy

.. Petitioner

-vs-

1. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited
12, Ramakrishna Road
Salem 636 007

2. The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited
12, Ramakrishna Road
Salem 636 007

3. The Branch Manager
Tamil Nadu State Transport Corporation
(Salem) Limited
Sankari Branch
Salem 636 007

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to consider and pass orders on the petitioner's representation dated 8.4.2017 seeking for payment of leave salary for the period 4.2.2017 to 15.3.2017 within a specified period.

For Petitioner :: Mr.S.Balaji

For Respondents :: Mr.P.Paramasivadosh

ORDER

The petitioner has come to this Court seeking a writ of mandamus, directing the second respondent to consider his representation dated 8.4.2017 seeking payment of leave salary for the period from 4.2.2017 to 15.3.2017.

2. Learned counsel for the petitioner, in support of the prayer, has pleaded that the petitioner is serving as a Conductor in the respondent-Transport Corporation. While so, he suffered from typhoid fever during February, 2017 and he also obtained a medical certificate from a private doctor on 4.2.2017 certifying that his absence for duty for a period of 20 days from 4.2.2017 to 23.2.2017 was absolutely necessary for the restoration of his health. Subsequently, he has also obtained a similar medical certificate from the same private doctor on 23.2.2017 certifying that he suffered from viral fever and that his absence for duty for a period of another 20 days from 24.2.2017 to 15.3.2017 was absolutely necessary for the restoration of his health. Therefore, the representation of the petitioner may be directed to be considered, he pleaded.

3. But this Court is not inclined to accept his contentions. When the petitioner is seeking a direction for payment of leave salary for a period of 40 days, he has not even annexed any documentary evidence to support the prayer viz., prescription of drugs, medical bills, etc., substantiating his absence for the said period. Therefore, this Court, doubting the genuineness of the case, is not inclined to entertain the writ petition, for, it is a false case. Accordingly, the prayer is refused and the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

/TRUE COPY/

Sub Assistant Registrar

ss

To

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+1 C.C. to Mr.S.Balaji Advocate SR.No. 73256/17
+1 C.C. to Mr.P.Paramasivadosh Advocate SR.No. 73577/17

W.P.No.26634 of 2017

KGK(CO)
T.R (15/11/2017)



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