



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2017

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P.[MD].No.325 of 2017

T.Thanka Christy : Petitioner

Vs.

The Principal District Munsif -cum-
Judicial Magistrate,
Eraniel,
Kanyakumari District. : Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to treat the petitioner's medical leave from 01.06.2009 to 16.06.2009 and 23.07.2009 to 16.12.2009 as under medical leave or earned leave in the petitioner's availed medical leave and earned leave in the petitioner's service register considering the petitioner's representation dated 11.05.2016 within a specified period that may be fixed by this Court.

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.K.Samidurai

O R D E R

[Order of the Court was made by R.SUBBIAH, J.]

The petitioner has come up with the present Writ Petition seeking for the issuance of a Writ of Mandamus, directing the respondent to treat her medical leave from 01.06.2009 to 16.06.2009 and 23.07.2009 to 16.12.2009 as under medical leave or earned leave in her availed medical leave and earned leave in her service register, by considering her representation dated 11.05.2016, within a time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.



3. Though the Writ Petition was filed by the petitioner seeking positive direction, at the time of making submission, the learned counsel for the petitioner submitted that the petitioner has already submitted a representation dated 11.05.2016 to the respondent and the same was not considered so far and hence, it would be suffice, if a direction is issued to the respondent to consider the same.

4. Considering the limited prayer now sought for by the petitioner, without going into the merits of the claim made by the petitioner, the respondent is directed to consider the representation of the petitioner dated 11.05.2016 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court will not express any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to look into the same.

5. The Writ Petition stands disposed of in the above terms. No costs.

Sd/
Assistant Registrar(A.S.,)

/TRUE COPY/

Sub Assistant Registrar

To

The Principal District Munsif -cum- Judicial Magistrate,
Eraniel, Kanyakumari District.

+1cc to M/s.S.Sivakumar, Advocate, in SR No.7749.

Order made in
W.P.[MD].No.325 of 2017
Dated: 13.02.2017

SML
msm-rsk/sar-3/27.02.17/p2/3c