

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30125 of 2019

C.Paul Suyambu

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Higher Education Department,
Fort St. George, Secretariat,
Chennai - 600 009.
 2. The Director of Collegiate Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 600 006.
 3. Raja Doraisingam Government Arts College,
Rep. By its Principal,
Sivagangai.
- Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to sanction OD for the period from 07.12.2015 to 16.12.2015 for attending Central Valuation work of Alagappa University, Karaikudi and the consequential encashment of Earned Leave for the said period based on the petitioner's appeal dated 04.03.2016 submitted to the 2nd respondent.

For Petitioner : Mr. R.Subramanian

For Respondents : Mr.V.Kadhirvelu
Special Government Pleader
(For Education)

O R D E R

This petition has been filed by the petitioner, seeking for the issuance of Writ of Mandamus to direct the respondents to sanction OD for the period from 07.12.2015 to 16.12.2015 for attending Central Valuation work of Alagappa University, Karaikudi and the consequential encashment of Earned Leave for the said period based on the petitioner's appeal dated 04.03.2016 submitted to the 2nd respondent.

2. The case of the petitioner is that he was appointed as professor in history in V.S.S. Arts College, Poolankurich and after two years, he was transferred to 3rd respondent college and retired on 31.05.2016. The petitioner was appointed as chairman of UG History valuation board and the central valuation for UG History commenced on 07.12.2015. The petitioner submitted application for OD to attend Central Valuation from 07.12.2015 but he was asked to apply for 2 days casual leave and OD for remaining days of valuation. The petitioner attended central valuation from 07.12.2015 to 16.12.2015 and the university also issued a attendance certificate. When the petitioner submitted the joining report along with the attendance certificate, the 3rd respondent refused to grant OD and forced to apply for earned leave to avoid loss of pay and break in service. As per Government norms, a teacher is eligible to take 15 days OD to attend valuation, the act of the 3rd respondent is unsustainable. The petitioner retired from service on 31.05.2016. The loss of 10 days earned leave has caused a great financial loss. The petitioner submitted appeal on 04.03.2016, 18.03.2017. The petitioner also made a representations on 21.06.2018 and 26.04.2019 to the respondents, seeking to sanction OD as per the attendant certificate Alagappa University. Since, no action is forthcoming despite the representations made by the petitioner is before this Court.

3. Considering the facts and circumstances of the case and since the representation made by the petitioner is still pending, the respondents are directed to consider the representations of the petitioner made on 21.06.2018 and 26.04.2019 and dispose of the same by passing appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition is disposed of. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar (CCC)

//True Copy//

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Sub Assistant Registrar

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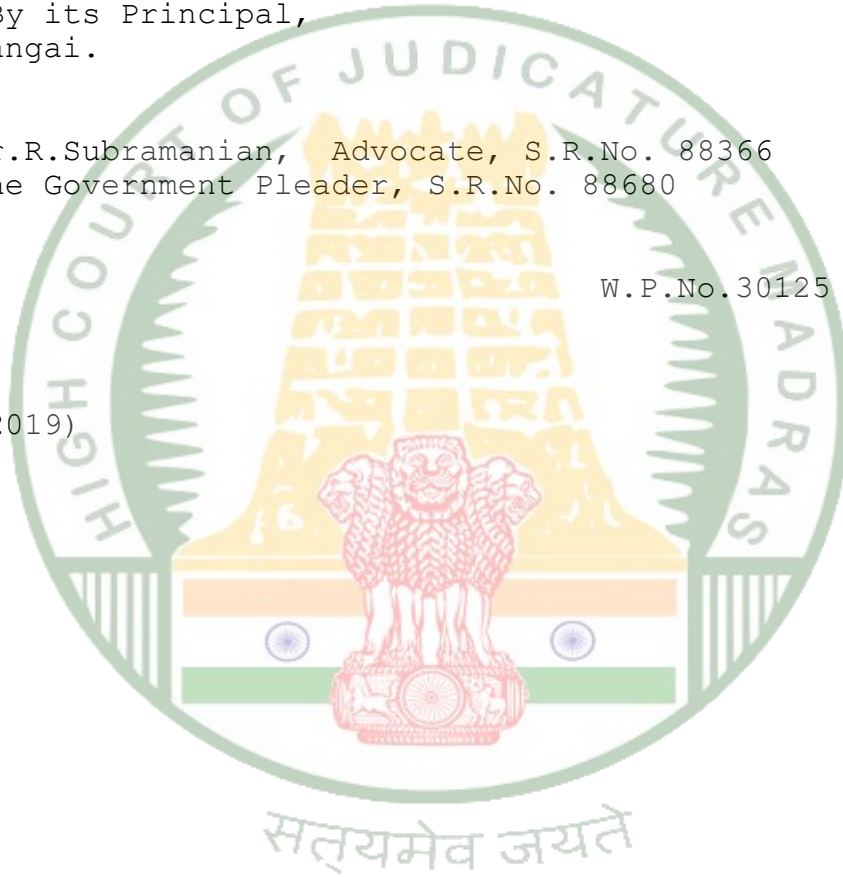
To

1. The Principal Secretary,
Higher Education Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Director of Collegiate Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 600 006.
3. Raja Doraisingam Government Arts College,
Rep. By its Principal,
Sivagangai.

+1cc to Mr.R.Subramanian, Advocate, S.R.No. 88366
+1cc to the Government Pleader, S.R.No. 88680

W.P.No.30125 of 2019

PPA (CO)
GN (04/12/2019)



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