



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.10918 of 2019

V.Natarajan

... Petitioner

vs.

1.The Managing Director,
Tamilnadu State Transport Corporation
(Kum) Limited,
Head Office,
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamilnadu State Transport Corporation
(Kum) Limited,
Regional Office,
Thirumayam Road,
Pudukkottai.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to treat the petitioner's absence for duty from 24.01.2018 to 18.02.2018 (26 days) as medical leave and disburse Rs.38,480/- towards salary for the said period along with interest.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.D.Sivaraman

ORDER

The Writ Petition is filed seeking a direction to the respondents to treat the petitioners absence for duty from 24.01.2018 to 18.02.2018 (26 days) as medical leave and disburse Rs.38,480/- towards salary for the said period along with interest.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned Counsel for the petitioner and the



learned Standing Counsel appearing for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that he was appointed as a Conductor in the respondent Corporation on 01.09.1996 and retired from service on 28.02.2018 on attaining the age of superannuation. The grievance of the petitioner is that instead of treating the period from 17.01.2018 to 21.02.2018 as medical leave, which he had taken due to his ill-health, the respondent corporation has deducted the same from earned leave. Hence, he made a representation dated 11.04.2018 to the respondents seeking to consider the above said period as medical leave and disburse a sum of Rs.34,840/-. However, the same has not been considered so far. Therefore, the petitioner has approached this Court by filing this present writ petition.

4. The learned Standing Counsel appearing for the respondents submitted that the representation of the petitioner would be considered by the respondents on merits, within a time frame as fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 11.04.2018 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Managing Director,
Tamilnadu State Transport Corporation
(Kum) Limited,
Head Office, Kumbakonam,
Thanjavur District.



2.The General Manager,
Tamilnadu State Transport Corporation
(Kum) Limited,
Regional Office,
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+1 CC to M/s.K.GOKUL, Advocate (SR-64489[F] dated 30/04/2019)

SSL

W.P (MD) No.10918 of 2019
29.04.2019

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