



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 10.09.2019**

**CORAM:**

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

**W.P.(MD) No.12701 of 2019**

WEB COPY

R.Pallavan

... Petitioner

-Vs-

1. The Chief Educational Officer,  
Chief Educational Office,  
Sivagangai.
2. The District Educational Officer,  
Thevakottai, Sivagangai District.
3. The Head Master,  
Government High School,  
Sirugapatty, Sivagangai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to permit the petitioner to rejoin duty by granting extraordinary leave on loss of pay for the period from 02.06.2016 to 24.04.2019 based on the Medical Certificate dated 25.04.2019 due to Mental Illness of the petitioner in terms of Rules 15 to 23 of the Fundamental Rules and consequently, direct the respondents to pay regular time scale of pay by extending the benefit of G.O.Ms.No.50, Education Department, dated 08.03.2019.

For Petitioner : Mr.S.Govindan  
For Respondents : Mr.A.Thiagarajan,  
Government Advocate.

**ORDER**

Heard Mr.S.Govindan, learned counsel appearing on behalf of the writ petitioner and Mr.A.Thiagarajan, learned Government Advocate appearing on behalf of the respondents.

2.This Writ Petition is filed for a direction to direct the respondents to permit the writ petitioner to rejoin duty by granting extraordinary leave on loss of pay for the period from 02.06.2016 to 24.04.2019, based on the Medical Certificate, dated 25.04.2019, due to Mental Illness of the writ petitioner in terms of Rules 15 to 23 of the Fundamental Rules and consequently, to direct the respondents to pay regular time scale of pay, by extending the benefit of G.O.Ms.No.50, Education Department, dated 08.03.2019.

3.When the matter is taken up for hearing, the learned Government Advocate appearing on behalf of the respondents by



referring Para No.3 of the counter affidavit filed by the second respondent, submitted that the respondents are taking steps to refer the writ petitioner to the District Medical Authorities, for second medical opinion.

4.In view of the same, the writ petitioner sought for a direction to direct the respondents to refer the writ petitioner to the District Medical Authorities.

5.In view of the aforesaid submissions, the respondents are directed to refer the writ petitioner to the District Medical Authorities, as stated in the counter affidavit, which was filed by the second respondent and pass orders by considering the report of the District Medical Authorities.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS )

To

1. The Chief Educational Officer,  
Chief Educational Office,  
Sivagangai.
2. The District Educational Officer,  
Thevakottai, Sivagangai District.
3. The Head Master,  
Government High School,  
Sirugapatty, Sivagangai District.

+1 CC to MR.S.GOVINDAN, Advocate ( SR-86031[F] dated 10/09/2019 )  
+1 CC to SPL.GP ( SR-86535[F] dated 13/09/2019 )

**W.P. (MD)No.12701 of 2019**  
**10.09.2019**

Myr

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