



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2019

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.27193 of 2019

WEB COPY

D.S.Jeyapaul

... Petitioner

Vs.

The State of Tamil Nadu,
rep. by its Principal Secretary cum
Commissioner of Revenue Administration,
Chepauk,
Chennai -5.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondent to credit maximum period of 240 days of Earned Leave by considering the petitioner's representation dated 21.05.2018 and 19.06.2019 within a stipulated period.

For petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

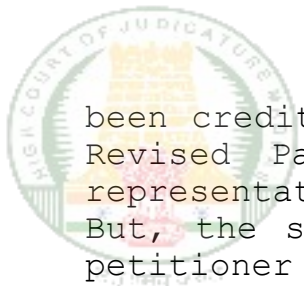
For respondent : Mr.R.Sethuraman,
Addl. Government Pleader

ORDER

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondent to credit maximum period of 240 days of Earned Leave by considering his representation dated 21.05.2018 and 19.06.2019 within a stipulated period.

2.Mr.R.Sethuraman, learned Additional Government Pleader, took notice for the respondent. By consent, the writ petition is taken up for final disposal.

3.The learned counsel for the petitioner submitted that the petitioner was appointed as Junior Assistant on 24.01.1996 and his service was regularised with effect from 24.01.1996 only on 13.02.2008 ie., nearly after 12 years, with annual increments and arrears of salary. Thereafter, the petitioner's probation was declared by the respondent on 11.01.2016. Then, the petitioner was promoted as Senior Inspector on 28.07.2017. The grievance of the petitioner is that he attains the age of superannuation on 31.01.2020 and due to the administrative delay in regularisation of his service and in declaring his probation, the Earned Leave has



been credited only 120 days, instead 240 days as per the Tamil Nadu Revised Pay Rules. In this regard, the petitioner has sent representations dated 21.05.2018 and 19.06.2019 to the respondent. But, the same have not been considered till date. Therefore, the petitioner has come up with the aforesaid prayer.

WEB COPY

4. The learned Additional Government Pleader submitted that the representation of the petitioner will be considered by the respondent as early as possible.

5. Considering the limited relief sought for by the petitioner, this Court, without advertting to the merits of the case, directs the respondent to consider the representation of the petitioner dated 19.06.2019 and pass appropriate order on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to send a copy of this order along with a copy of the representation dated 19.06.2019 to the respondent for early compliance of this order.

6. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gcg

To

The Principal Secretary cum
Commissioner of Revenue Administration,
Chepauk,
Chennai -5.

+1 CC to SPL.GP (SR-106484[F] dated 27/12/2019)
+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-106457[F] dated
26/12/2019)

W.P (MD) No.27193 of 2019
20.12.2019

MK (10.01.2020) 2P 4C