



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.16818 of 2020

WIP COPY
S.Suresh

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Managri (Po),
Maruthupathi, Karaikudi,
Sivagangai District.

2.The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Muthukulathur Branch,
Muthukulathur.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents in particular the second respondent to receive the petitioner's leave application and to sanction medical leave with salary for the period from 28.08.2018 to 17.09.2018 based on his representation dated 08.10.2018 within a time frame that may be fixed by this Court.

For Petitioner : Mr.G.M.Xavier
For Respondents : Mr.P.Balasubramanian
Standing Counsel

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed by the petitioner to direct the second respondent to receive the petitioner's leave application and to sanction medical leave with salary for the period from 28.08.2018 to 17.09.2018 based on his representation dated 08.10.2018.

3.The learned counsel for the petitioner would submit that the petitioner is working as a Conductor at Muthukulathur Branch of the respondent corporation. The petitioner was affected with typhoid fever and he sent a letter dated 27.08.2018 to the second respondent requesting to grant leave for a period from



28.08.2018 to 03.09.2018. Thereafter, the petitioner sent another leave letter dated 04.09.2018 to the second respondent requesting leave from 04.09.2018 to 17.09.2018. On 18.09.2020, he appeared in person before the second respondent and produced the medical fitness certificate and joined duty. But without considering his leave letters and medical certificates, the second respondent marked the petitioner's attendance as absent and deducted the salary for 21 days. In this regard, though the petitioner has given a representation on 08.10.2018, the respondents have not taken any decision with regard to grant of medical leave for the petitioner along with leave salary. Hence, without any other options, the petitioner approaches this Court by way of writ petition.

4.The learned Standing Counsel appearing for the respondents would fairly submit that the representation of the petitioner will be disposed of on merits and in accordance with law within a time frame as fixed by this Court.

5.On the face of record, it appears that there was an inordinate delay on the part of the respondents in disposing the representation. Therefore, this Court directs the respondents to consider the petitioner's representation, dated 08.10.2018 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this orders, without making any further delay in its decision making process.

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:-

1.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Managri (Po),
Maruthupathi, Karaikudi,
Sivagangai District.

2.The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Muthukulathur Branch,
Muthukulathur.

+1 CC to M/s.G.M. XAVIER, Advocate (SR-22732[F] dated 24/11/2020)

W.P.[MD]No.16818 of 2020
24.11.2020

ARK(CO)
KB(03.12.2020) 3P 4C