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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.20708 of 2021

S.Umamaheswari

.. Petitioner

Vs

1.The High Court of Judicature at Madras,
rep. by its Registrar General,
Chennai - 600 104.

2.The Government of Tamil Nadu,
rep. by Principal Secretary,
Home (Courts-I) Department,
Secretariat, Fort St. George,
Chennai - 09.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to release petitioner's pay for the compulsory wait period and other accrued benefits till the date of her discharge i.e., 17.08.2015.

For the Petitioner : Mr.M.Habeeb Rahman

For the Respondents : Mr.B.Vijay
for respondent No.1

: Mr.P.Muthukumar
State Government Pleader
for respondent No.2

ORDER

(Order of the Court was made by Hon'ble Chief Justice)

The grievance of the petitioner is that the period that the petitioner was kept in compulsory wait before she was discharged has to be treated as period of duty and the petitioner must be compensated therefor.

2. Pursuant to the request of the High Court, the State has



accepted the position and G.O.(D) No.1178 of October 13, 2021 recognises the petitioner's entitlement for being paid during the period of compulsory wait and such period being regarded as duty.

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3. Accordingly, the writ petition succeeds. The appropriate authorities should now work out the exact amount due to the petitioner during the period the petitioner was under compulsory wait for the money to be made over to the petitioner within three months from date.

4. W.P.No.20708 of 2021 is disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Registrar General,
High Court of Judicature at Madras,
Chennai - 600 104.

2.The Principal Secretary,
Government of Tamil Nadu,
Home (Courts-I) Department,
Secretariat, Fort St. George,
Chennai - 09.

WP No.20708 of 2021

PVS (CO)
GN(01/11/2021)