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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.02.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.A. (MD)No.152 of 2018
and CMP(MD) No.779 of 2018**

1.The Secretary to Government,
Health and Family Welfare (C-II) Department
Fort St. George,
Chennai.

2.The Director of Medical Education,
Kilpauk
Chennai.

3.The Dean
Thanjavur Medical College
Thanjavur.

4.The Director of Medical Rural Health Services,
Teynampet,
Chennai.

:Appellants/Respondents

Vs.

M.Govindarajan

: Respondent/Petitioner

PRAYER: Appeal filed under Clause 15 of the Letters Patent against the order of this Court in W.P. (MD) No.10360/2007 dated 11.02.2013.

Prayer in WP(MD). 10360/ 2007 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent by his proceeding in G.O.(D).No.1390 dated 20.12.2006 quash the same and consequently direct the 1st respondent to recognize the said period as extra ordinary leave with pay and allowances without Medical Certificate and pay the pay and allowances besides other benefits

For Appellant :Mrs.S.Srimathy

Special Government pleader

For Respondents : Mr.M.Karunanithi

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is preferred by the appellants aggrieved over of the order of the learned single Judge, by which, certain
<https://hcservices.ecourts.gov.in/hcservices/>



directions have been issued to regularize the period of absence of the respondent on the premise that the review application filed by him before the Tribunal was allowed and there was a stay during the interregnum, which entitled him to work, but was not allowed to do so.

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2. Though the learned Special Government Pleader submitted that this is an unauthorized absence, the fact remains that the review application filed was allowed and notwithstanding the stay, the writ petitioner was not allowed to work. Therefore, the same would not be attributed to him.

3. Accordingly, we do not find any reason to interfere with the order of the learned single Judge. Since the respondent has been approached this Court filing one writ after another, we direct the appellants to give effect to the order of the learned single Judge within eight weeks from the date of receipt of a copy of this order. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

To

1.The Secretary to Government,
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