

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WRIT PETITION NO.11435 OF 2014

V.Jeeva Rekha

... Petitioner

-Vs-

1. The Director General of Police,
Directorate General, CRPF,
CGO Complex, Lodhi Road,
New Delhi - 110 003.
2. The Inspector General of Police,
Southern Sector CRPF,
Road No.10 C, Jubilee Hills,
Near MLA/MPs Colony,
Gayathri Hill,
Hyderabad - 500 033.
3. The Deputy Inspector General of Police,
Group Centre, CRPF,
Avadi, Chennai - 600 065.
4. The Accounts Officer,
Group Centre, CRPF,
Avadi, Chennai - 600 065.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, quashing the order of the 4th and 3rd respondents herein made in proceedings No.P.I.1/12-13-PBC.GC dated 20.05.2013 and No.L.II.16/2013.SRC.I.GC dated 28.06.2013 regularizing the period from 02.07.2012 to 09.05.2013 as LHP (Leave Half Pay) without leave salary and EOL (Ex-ordinary Leave) without salary and to direct the respondents to re-regularize the above period as duty and make payment of pay and allowances and HRA for the period from 02.07.2012 to 09.05.2013 and 10.05.2013 to 31.05.2013 after calling the records pursuing the same.

For Petitioner : M/s.P.Priyanka
For M/s.R.Gouri

For Respondents : Mr.S.Muthusamy
Central Government
Standing Counsel
For R1 to R4

O R D E R

The non regularisation of the period of leave with salary is under challenge in the present writ petition.

2. The writ petitioner was appointed as CRPF Head Constable (Ministerial) on 15.02.2006. The petitioner states that she was under medical treatment and submitted resignation letter to the 4th respondent. The husband of the writ petitioner was working in a private company at Chennai and she was continuously taking treatment for infertility. During the course of treatment, she was referred to various hospitals for better treatment. The period of leave was regularized as LHP with NLS. Aggrieved by the said order, the petitioner filed the present writ petition. However, the learned counsel for the petitioner made a submission that the petitioner was subsequently dismissed from service and she has filed another writ petition challenging the order of dismissal from service, which is pending before this Court.

3. In view of the fact that the petitioner was dismissed from service, no further adjudication is required in respect of the order impugned passed by the respondents, regularizing the leave period of the writ petitioner. However, the writ petitioner is at liberty to pursue the remedy after disposal of the writ petition filed challenging the order of dismissal, if any grievances exists.

4. With this liberty, the writ petition stands disposed of. No Costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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+2ccs to Mr.S.Muthusamy, Advocate, S.R.No.40041
+1cc to M/s.R.Gouri, Advocate, S.R.No.39936

W.P.NO.11435 OF 2014

SV(CO)
PBS/20/07/2022