



WP No.708 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

WP No.708 of 2017

And

W.M.P.Nos. 733 & 734 of 2017

N.Sakthi Prahadeesh

... Petitioner

-Vs-

1. The Government of Tamilnadu
Rep, by its Secretary
Rural Development & Panchayat Raj Department
Fort St. George, Chennai -9 .
2. The Director of Rural Development &
Panchayat Raj Department, Panagal Building,
Saidapet, Chennai -15.
3. The District Collector,
Erode District, Erode -11.
4. The Block Development Officer (B.P),
Ammapettai Panchayat Union,
Ammapettai, Erode District.
5. Tmt. N.Uma Devi



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Block Development Officer
Perundurai Panchayat Union
Perundurai, Erode District,
(Formerly 4th respondent)

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records on the file of the third respondent relating to the impugned order, viz., Lr.No. 15929/2014/Pa.E1 dated 15.05.2015 and quash the same and consequently direct the respondents 1 to 4 to sanction the annual increments to the petitioner which were due on 01.10.2013, 01.10.2014, 01.10.2015 and 01.10.2016; sanction the Medical Leave for the period 13.06.2014 to 18.07.2014 and treat the period from 19.07.2014 to 21.08.2014 as duty for all purposes, viz., service as well as monetary, either by treating the same as compulsory wait or otherwise and consequently to pay the salary for the period from 13.06.2014 to 21.08.2014 and pay all the arrears therefor with appropriate interest and also within a time frame.

For Petitioner	:	Mr. N.Subramaniam
For RR 1 to 3	:	Mr.S.Ravikumar Special Government Pleader
For 4 th Respondent	:	Mr. K.Dhananjayan

ORDER



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Writ Petition has been filed in the nature of Certiorarified Mandamus calling for the records of the third respondent / the District Collector, Erode District, Erode -II, relating to an order dated 15.05.2015 in Lr.No. 15929/2014/Pa.E1 and quash the same and direct the respondents 1 to 4 to sanction the annual increments to the petitioner which were due on 01.10.2013, 01.10.2014, 01.10.2015 and 01.10.2016 and also sanction the Medical Leave for the period 13.06.2014 to 18.07.2014 and also treat the period from 19.07.2014 to 21.08.2014 as duty for all purposes, viz., service as well as monetary, either by treating the same as compulsory wait or otherwise and consequently to pay the salary for the period from 13.06.2014 to 21.08.2014 and pay all the arrears therefor with appropriate interest.

2. The petitioner was working as Assistant Engineer in Rural Development and Panchayat Raj Department after being selected under the Thalavadi Panchayat Union from 17.11.2011. He had suffered various medical ailments like low back pain and applied for medical leave for 40 days from 13.06.2014. He was declared fit to attend office from

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19.07.2014. However, the fourth respondent did not permit him to join duty and the petitioner was directed to obtain a further certificate from the Medical Board. Thereafter, the petitioner received a letter from Joint Director of Health Services, Erode, directing him to appear before the Joint Director. Medical tests were conducted and the petitioner was under the impression that all the results were normal. Thereafter, he was permitted to join duty but was infact forced to wait without duty for 34 days. It had been stated that medical leave for 30 days alone had been sanctioned by the fourth respondent. Complainant that his monetary benefits had been directly affected by non sanction of medical leave, the present Writ Petition has been filed.

3. However, Mr.S.Ravikumar, learned Special Government Pleader pointed out that the District Collector at Erode had forwarded a communication that the relief sought by the petitioner had been addressed by the said respondent and necessary sanction had also been made granting increments and also sanctioning the medical leave and treating the period as on duty. The petitioner had also addressed a letter on 10.07.2013

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acknowledging that the relief, which had sought, has already been granted.

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4. I must place my deep appreciation to Mr.S.Ravikumar, learned Special Government Pleader for ensuring that the issues had been addressed to the satisfaction of the one and all by the third respondent/ the District Collector, Erode District. Since no further issues arise for adjudication and the petitioner had also been sanctioned with necessary relief, the Writ Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

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Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

1. The Secretary

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Rural Development & Panchayat Raj Department
Fort St. George, Chennai -9 .

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5. The Block Development Officer Perundurai Panchayat Union Perundurai, Erode District.

C.V.KARTHIKEYAN, J.,

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