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W.P.(MD)NO.5299 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5299 of 2023

R.Umavathi

... Petitioner

Vs.

1. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Thoothukudi District.
2. The District Educational Officer,
O/o.The District Educational Officer,
Kovilpatti,
Thoothukudi District.
3. The Secretary,
St. Mary's High School,
Therku Konarkottai,
Chettikurichi Post,
Thoothukudi District.
4. The Head Mistress,
St. Mary's High School,
Therku Konarkottai,
Chettikurichi Post,
Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order Na.Ka.No.117/2022 dated



20.12.2022 on the file of the respondent No.3 and quash the same is illegal and consequentially direct the respondent No.1 and 2 to direct the respondent No.3 and 4 to disburse the salary of the petitioner from December 2021 to till date and all other consequential benefits along with interest within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman,
for M/s.Lajapathi Roy and Associates.

For R-1 & R-2 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-3 : Mr.M.Saravanan

For R-4 : No appearance.

* * *

ORDER

Heard the learned counsel on either side.

2. The case of the writ petitioner is that she was appointed as Secondary Grade Teacher in St.Mary's High School, Therku Konarkottai, Thoothukudi District on 17.08.1998. On 27.10.2021 the petitioner fell down and suffered injury and fracture. The petitioner was on leave from 27.10.2021 to 18.01.2022. The petitioner remained medically indisposed for over 18 months. The petitioner wanted the management to regularize



the period of absence into one of medical leave. Since the management did not submit any proposal to the department, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned counsel appearing for the management submitted that they have now submitted the proposal on 30.05.2023 to the District Educational Officer, Kovilpatti, for regularizing the aforesaid period of absence. The issue between the petitioner on the one hand and the management on the other has been resolved. It is for the competent authority to take a call in the matter. The competent authority is directed to pass order on the proposal submitted by the management on 30.05.2023 within a period of eight weeks from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

02.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Thoothukudi District.
2. The District Educational Officer,
O/o.The District Educational Officer,
Kovilpatti,
Thoothukudi District.



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G.R.SWAMINATHAN,J.

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