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W.P.(MD)NO.9907 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9907 of 2023 AND
W.M.P.(MD)No.8731 of 2023

P.S.M.Santhi Jeyarani

... Petitioner

Vs.

1. The District Education Officer,
Ramanathapuram District,
Ramanathapuram.

2. The Correspondent,
Raja Dinakar R.C.High School,
Ramanathapuram.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to accept the leave letter dated 09.03.2023 submitted by the petitioner and thereby allow the petitioner to join duty as B.T.Assistant Tamil Teacher in the 2nd respondent school.

For Petitioner : Mr.S.Ramu

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

For R-2 : Ms.A.Amala

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ORDER

Heard the learned counsel on either side.

2. The petitioner is holding the post of BT Assistant (Tamil) in the second respondent school. She had served the institution for more than 21 years. She is now in a last year of service and that she appears to be having some medical issues. She had gone on leave quite often. This had given rise to some misunderstanding between the petitioner and the school correspondent.

3. It is not in dispute that the petitioner is having sufficient leave to her credit. Therefore her period of absence will very well be justified against the same. The second respondent school has reopened on 14.06.2023. The petitioner's counsel states that the petitioner is joining the institution and she is intending to go on Voluntary Retirement.

4. I am of the view that considering the long years of service put in by the petitioner, her absence need not give rise



to any separate cause of action. The issue can be resolved by accepting the leave application as submitted by her. The second respondent shall accept the leave letter given by the petitioner and appropriate proceedings shall be issued by the second respondent in this regard. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

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

PMU

To:

The District Education Officer,
Ramanathapuram District,
Ramanathapuram.



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G.R.SWAMINATHAN,J.

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