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W.P.No. 6137 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6137 of 2024

Padma Priyadharshini. R. Petitioner

Vs

1. Deputy General Manager and Zonal Head,
UCO Bank, 328, Thambu Chetty Street,
Chennai – 600 001.

2. Assistant General Manager and Deputy Zonal Head,
UCO Bank, 328, Thambu Chetty Street,
Chennai – 600 001.

3. Chief Manager and Branch Manager,
UCO Bank T Nagar Branch,
No.26/21, South Dhandapani Street,
T.Nagar, Chennai – 600 017.

.... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to approve the sick leave her sick leave and make full payment of salary for the period of ten days from 07.11.2023 to 16.11.2023.

For Petitioner : Mr.V.S.Saranya



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ORDER

This Writ Petition has been filed for a direction directing the respondents to approve the sick of the petitioner and make full payment of salary for the period of ten days from 07.11.2023 to 16.11.2023.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The petitioner is now working as Senior Manager, UCO Bank, T.Nagar Branch, Chennai. She had multiple reproductive health complications. Therefore, she wanted to undergo surgery to remove her left fallopian tube and ovary. In the month of March, 2023, she had severe abdominal pain and continuous menstrual bleeding which would last for over 17 days during a month. She was also diagnosed with abnormal uterine bleeding. Therefore, she was advised to undergo another open surgery, hysterectomy for the same. She also suffered with severe ear pain. On 04.11.2023, due to her ear pain, she had taken a day off to recuperate. She had returned on 06.11.2023 for duty. In order to undergo surgery, she was advised to take complete bed rest. Therefore, the petitioner had applied for ten days leave from 07.11.2023 to



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16.11.2023 with all medical certificates issued by KG Hospital, Coimbatore. The said application was recommended by her immediate superior. However, on 10.11.2023, her condition worsened, due to which, she was admitted in New Ruthraan Hospital, Ayanavaram, Chennai. Thereafter, she was discharged only on 11.11.2023. On 15.11.2023, once again, she was admitted in the hospital for heavy bleeding with clots and abdominal pain. She was discharged on 16.11.2023. On 17.11.2023, she resumed work despite her condition and continuing menstrual cycle.

4. While being so, the petitioner was asked to explanation with regard to the leave. She has submitted an explanation by a communication dated 18.11.2023 along with her medical records. However, the medical leave for ten days was rejected on the ground that she failed to take prior permission before leaving the station. Once again, the petitioner applied for sick leave on 21.11.2023. Her salary was marked with 10 days loss of pay for the month of November 2023. Therefore, the petitioner submitted a representation seeking for reversal of “Loss of Pay” for the sick leave period from 07.11.2023 to 16.11.2023.



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5. Considering the facts and circumstances of the case, the respondents are directed to pass orders on the representation of the petitioner on merits and in accordance with law, in view of the observations made by this Court, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

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Index: Yes/No
Speaking Order: Yes
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To

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G.K.ILANTHIRAIYAN, J.

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