



**W.P(MD)No.4875 of 2024**

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2024

CORAM

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.4875 of 2024**

G.Narayanasamy

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Transport  
Corporation(Madurai) Ltd.,,  
Bye-Pass Road,  
Madurai-625 016.

2.The General Manager,  
Tamil Nadu State Transport  
Corporation (Madurai) Ltd.,  
Virudhunagar Region, Bye-Pass Road,  
Virudhunagar.

3.The Branch manager,  
Tamil Nadu State Transport  
Corporation (Madurai) Ltd.,  
Virudhunagar Region, Rajapalayam I Brach,  
Virudhunagar District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to convert the petitioner absence as Medical Leave from 22.12.2023 to 15.01.2024 in total 25 Days in Service Register (SR) and further to give the petitioner



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salary for the period of 25 days on the base of the petitioner's representation, dated 14.02.2024 within a stipulated time of period of time fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.Ramachandra Pradeep  
Standing Counsel

### **ORDER**

The present writ petition has been filed seeking direction to the respondents to convert the petitioner absence as Medical Leave from 22.12.2023 to 15.01.2024 in total 25 Days in Service Register (SR) and further to give the petitioner salary for the period of 25 days on the base of the petitioner's representation, dated 14.02.2024 within a stipulated time of period of time fixed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is working as a Driver in the respondent Corporation. He was absent from duty for about 25 days from 22.12.2023 to 15.01.2024. The case of the petitioner is that during the said period, he suffered from neck pain and chest pain. He has also enclosed medical certificate, dated 21.12.2023



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issued by a Doctor. The petitioner's grievance is that the management is not regularizing the period of absence as one of medical leave.

4. The learned Standing Counsel appearing on behalf of the management opposed the prayer on the ground that the writ petitioner fell ill conveniently on the day, when the strike was called and got well when the strike was called off. According to the Standing Counsel, can not be too much of a coincidence. The submissions of the learned counsel for the respondent, on the face of it, is sound.

5. This Court is however, of the view that the issue can be given a quietus, by directing the respondents to treat the aforesaid period as one on medical leave. The management is directed to calculate salary for the said period as one of medical leave.

6. Accordingly, this writ petition is allowed. No costs.

**04.03.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No  
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**L.VICTORIA GOWRI, J.**

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