



W.P.(MD)No.12252 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.12252 of 2021
and
W.M.P.(MD)No.9639 of 2021

C.Pilavadi

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Secretary,
Department of Health and Family Welfare,
Fort St. George,
Chennai.

2.The Director of Medical Education,
Directorate of Medical Education,
Kilpauk,
Chennai - 10.

3.The Dean,
Madurai Government Rajaji Hospital,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 21.08.2017, on the file of the respondent no.3 in Se.Mu.No.21574/Ni3/2/9 dated 21.08.2017 to the extent of non regularization of suspension period I.e., from 01.02.1995 to 28.09.1995



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and from 29.09.1995 to 26.08.1996 (420 days) and quash the same as illegal and consequently direct the respondents to regularize those period and provide all monetary benefits.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition has been filed, to quash the impugned order in Se.Mu.No.21574/Ni3/2/9 dated 21.08.2017, on the file of the 3rd respondent, to the extent of non regularization of suspension period I.e., from 01.02.1995 to 28.09.1995 and from 29.09.1995 to 26.08.1996 (420 days) and direct the respondents to regularize those period and provide all monetary benefits.

2.When the matter came up for hearing, the learned Special Government Pleader produced the complete file pertaining to the impugned order and placed before me, the willingness letter submitted by the petitioner to relinquish the earned leave and unearned leave for the said 420 days.

3.Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents and carefully perused the materials available on record.



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4. On careful perusal of the said willingness letter dated 10.08.2017, it is clear that the petitioner has relinquished his claim for earned leave and unearned leave on private affairs (420 days) to regularize his suspension period from 29.09.1995 to 26.08.1996 and the remaining period of 1047 days has been regularized and it was treated as duty period with all monetary benefits. In view of consent letter, I do not find any demerits in the impugned order.

5. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

30.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1. The Secretary,
State of Tamil Nadu,
Department of Health and Family Welfare,
Fort St. George,
Chennai.
2. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk,
Chennai - 10.
3. The Dean,
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L.VICTORIA GOWRI, J.

Mrn

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