



W.P.(MD).No.19886 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.19886 of 2024

and

W.M.P.(MD) No.16851 of 2024

P.Raja

... Petitioner

Vs.

1. The District Health Officer,
Madurai District,
Madurai.

2. The Block Medical Officer,
Vellore Primary Health Center,
Vellore, Melur Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent vide his proceedings in Na.Ka.No.3746/A2/2024, dated 07.08.2024 and quash the same as illegal and consequently direct the respondents to disburse the petitioner's salary for the period from 08.05.2024 to 06.06.2024 after treating the said period as his eligible unearned Leave on Medical Certificate within the time stipulated by this Court.



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For Petitioner : Mr.R.Alagumani
For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The instant writ petition has been filed by a Civil Surgeon working in the Thiruvathavur Primary Health Centre, Madurai District, seeking to quash the order passed by the first respondent herein dated 07.08.2024, wherein the petitioner was directed to appear before the Medical Board for taking medical leave between 08.05.2024 and 06.06.2024.

2. Pending writ petition, this Court has directed the writ petitioner to appear before the Medical Board.

3. Accordingly, the petitioner has appeared before the Medical Board, and the Board has certified that the petitioner was not fit to attend duty between 08.05.2024 and 06.06.2024.



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4. In such circumstances, this Court is of the considered opinion that the petitioner's medical leave between 08.05.2024 and 06.06.2024 should be regularized and salary should be paid to him.

5. In view of the above said facts, the respondent authorities are directed to release the salary of the petitioner for the period between 08.05.2024 and 06.06.2024 on filing of an appropriate application by the petitioner.

6. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

04.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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