



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21578 of 2024

R.Saravana Kumar

... Petitioner

Vs.

1.The Director,
Directorate of Municipal Administration,
MRC Nagar,
Raja Annamalaipuram,
Chennai.

2.The Regional Director of Municipal Administration,
Madurai Zone,
Madurai.

3.The Commissioner,
Keelakarai Municipality,
Ramanathapuram District.

4.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, direct the respondent No.4 to issue the relieving order of the petitioner and consequently direct the respondent No.3 to allow the petitioner to join the service in the light of the transfer order in Na.Ka. 127/2024/H3 passed by the respondent No.1 dated 16.07.2024 and consider the



leave period i.e 20.07.2024 to 20.08.2024 as duty period and provide salary for the same by considering his representation dated 22.08.2024.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 & R2
Mr.K.Saravanan
Standing Counsel for R3 & R4

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ORDER

The instant writ petition has been filed by a Sanitary Worker, who has been transferred from Ramnad Municipality to Keelakarai Municipality, seeking a mandamus to issue relieving orders, to treat the period between 20.07.2024 and 20.08.2024 as duty period and pay salary for the said period.

2.According to the learned Standing Counsel appearing for the third respondent, relieving order has already been issued by the fourth respondent herein on 16.07.2024 and if the petitioner approaches the third respondent Municipality on 16.09.2024, he will be permitted to join duty. The said undertaking is recorded.



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3.The petitioner has submitted his medical leave application before the fourth respondent for the period from 20.07.2024 and 20.08.2024. Since the petitioner has already been relieved from Ramnad Municipality on 16.07.2024, the fourth respondent cannot consider the said request. After joining duty, the petitioner is directed to present the leave application to the third respondent herein and the third respondent is directed to consider the same and pass orders on merits and in accordance with law. Depending upon the said orders, the salary for the said period shall be released.

4.With the above said observations, this writ petition stands disposed of.

No costs.

11.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



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To

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Raja Annamalaipuram,
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R.VIJAYAKUMAR, J.

RJR

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