



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21920 of 2024

S.Amirtha Sahaya Bergumans

... Petitioner

Vs.

1.The State Express Transport
Corporation(Tamil Nadu) Limited,
Represented by its Managing Director,
Pallavan Salai, Chennai – 02.

2.The General Manager,
The State Express Transport
Corporation(Tamil Nadu) Limited,
Pallavan Salai, Chennai – 02.

3.The Branch Manager,
The State Express Transport
Corporation(Tamil Nadu) Limited,
Madurai Branch, Madurai.

4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Ilam,
Pallavan Salai, Chennai – 02.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned order passed by 2nd respondent in order No.657510/DL2/SETC/2024, dated 22.06.2024, quash the same as illegal, nonest and



arbitrary in so far as treating the period of service of the petitioner from 16.03.2024 to 23.06.2024 as eligible leave and in so far as deducting earned leave available to his credit for the purpose of paying him salary from 21.05.2024 to 20.06.2024 and in so far as treating the period from 21.06.2024 to 23.06.2024 as absence from duty and consequently direct the respondents to pay him salary for the period from 16.03.2024 to 23.06.2024 by treating the said period as medical leave.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.K.Senthil Kumar
Standing Counsel for R1 to R3
Mr.S.C.Herold Singh
Standing Counsel for R4

ORDER

The instant writ petition has been filed by a Canteen Helper working in the respondent transport corporation, challenging the order of imposition of punishment of treating unauthorised period of absence as eligible leave.

2.According to the learned Counsel appearing for the writ petitioner, he was on medical leave between 16.03.2024 and 23.06.2024 and however, the said medical leave has not been approved and the same has been treated as eligible leave. Challenging the order of imposition of punishment, the petitioner has filed an appeal before the first respondent on 25.06.2024, which is yet to be disposed of.



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3.Considering the fact that the petitioner has already filed an appeal before the first respondent, it is suffice to direct the first respondent to dispose of the appeal within a period of three months from the date of receipt of a copy of this order on merits and in accordance with law after giving due opportunity to the writ petitioner.

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

No costs.

13.09.2024

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



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To

- 1.The Managing Director,
The State Express Transport
Corporation(Tamil Nadu) Limited,
Pallavan Salai, Chennai – 02.
- 2.The General Manager,
The State Express Transport
Corporation(Tamil Nadu) Limited,
Pallavan Salai, Chennai – 02.
- 3.The Branch Manager,
The State Express Transport
Corporation(Tamil Nadu) Limited,
Madurai Branch, Madurai.
- 4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
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R.VIJAYAKUMAR, J.

RJR

W.P(MD)No.21920 of 2024

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