



W.P.(MD)No.18561 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.18561 of 2017

and

W.M.P.(MD)No.14950 of 2017

K.Kalpana

: Petitioner

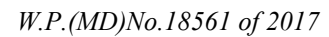
Vs.

1.The Chairman,
Regional Medical Board,
Government Rajaji Hospital,
Madurai.

2.The Deputy Commissioner of Commercial Taxes,
Madurai (East),
Madurai Commercial Taxes Division,
Madurai.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records of the first respondent in KDS No.010772/௭௮௮5/2017 dated 12.05.2017 and consequential proceedings of the second respondent in டி.க.௮௨ / 375 / 2017 dated 18.07.2017 and quash both as illegal and



For Petitioner : Mr.Ammaar
for Mr.J.Pooventhera Rajan
For Respondents : Mr.J.K.Jayaseelan
Government Advocate

This Writ Petition has been filed challenging the impugned order dated 12.05.2017 passed by the first respondent and the consequential proceedings of the second respondent dated 18.07.2017, rejecting the petitioner's request to treat the leave period from 31.03.2017 to 29.04.2017 as medical leave period and leave period of 30.04.2017 to 15.05.2017 as Earned Leave.

2.The petitioner was earlier working in the Commercial Taxes Department and she has now retired from service. While in service, she took leave for the period from 31.03.2017 to 15.05.2017 and she wanted to treat the period from 31.03.2017 to 29.04.2017 as medical leave period and from 30.04.2017 to 15.05.2017 as Earned



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Leave period which has been rejected under the impugned orders passed by the first and second respondents dated 12.05.2017 and 18.07.2017 respectively, on the ground that the request of the petitioner is not justified and cannot be regularized for want of adequate medical report.

3. Even before this Court, the petitioner has not produced all the medical records pertaining to her illness during the leave period, except for producing medical certificate and a fitness certificate which have been issued by Government Medical Doctors, wherein they did not give the full particulars of the petitioner's nature of treatment. Having availed a long leave, necessarily, the petitioner ought to have produced all the relevant medical records to justify that she was unable to come for duty only due to medical grounds. The respondents have considered the request of the petitioner and they are justified in not regularising the leave of the petitioner as the petitioner has not produced adequate medical records to prove that she was unable to come for work only due to her illness. This Court does not find any infirmity in the orders of the first and second respondents dated 12.05.2017 and 18.07.2017 respectively.



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4.In the result, there is no merit in this Writ Petition and the same is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

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ABDUL QUDDHOSE, J.

MR

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