



WEB COPY

W.P.No.18758 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No. 18758 of 2024

N.Ramesh

...Petitioner

Vs.

1.The Registrar General,
High Court,
Madras - 600 104.

2.The Principal District Judge,
Nagapattinam.

3.The Sub-ordinate Judge,
Nagapattinam.

...Respondents

Prayer: Writ Petition filed under 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner to join duty as Typist of Sub-Court, Nagapattinam treating the periods of absence from duty 03.08.2022 to till date of joining duty for all purposes together with continuity of service and other attendant service benefits inclusive of backwages during the non-employment periods within a specified period.



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For Petitioner : Mrs.S.Sasikala

For Respondents : Mr.M.Fakkir Mohideen

Standing Counsel for R1 to R3

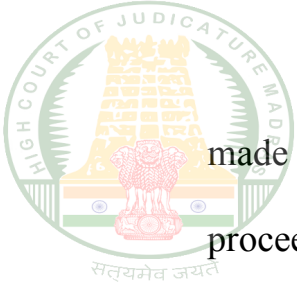
ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The petitioner seeks a mandamus to permit him to join duty as a Typist in the Sub-Court, Nagapattinam and for treating the periods of absence from duty from 03.08.2022 till date of joining duty for all purposes together with continuity of service and other attendant service benefits inclusive of back-wages during the non-employment period.

2. It is not in dispute that the petitioner has joined duty with effect from 24.07.2024 forenoon. As regards the prayer for payment of salary and other benefits, the question is covered by the order of the learned District Judge, Nagapattinam dated 28.02.2024. The learned District Judge had treated a portion of the period as unearned leave on medical certificate and the remaining period has been directed to be set off against the earned leave and if the absence is in excess of that period, the remaining period has been directed to be treated as leave on loss of pay. Therefore, the petitioner will not be entitled to any salary or wages during the period of absence. It is

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made clear that if there is any delinquency, the Department will be free to proceed against the petitioner.

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3. In view of the above, this Writ Petition is **dismissed**. No costs.

(R.S.M., J.) (G.A.M., J.)
21.02.2025

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Internet: Yes

Index: No

Speaking

Neutral Citation : No

To:

1. The Registrar General,
High Court,
Madras - 600 104.
2. The Principal District Judge,
Nagapattinam.
3. The Sub-ordinate Judge,
Nagapattinam.

R.SUBRAMANIAN, J.
and
G.ARUL MURUGAN, J.



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