

WP(MD)No.6711 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.6711 of 2021
and
WMP(MD)No.5169 of 2021**

X.Glory

... Petitioner

Vs

**1.The Chief Manager,
HRM Department,
Tamil Nadu Grama Bank,
Head Office,
Hasthampatti, Salem.**

**2.The Regional Manager,
Tamil Nadu Grama Bank,
Regional Office,
Thanjavur – 612 703.**

**3.The Branch Manager,
Tamil Nadu Grama Bank,
Patteeswaram Branch,
Kumbakonam.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned communication of the 2nd respondent RO/TNJ/HRM/1065/20-21 dated 21.11.2020 to the 3rd respondent, quash



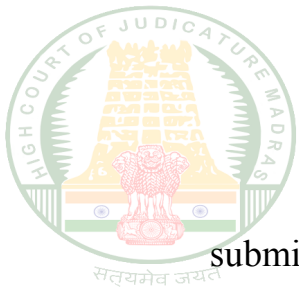
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the same and consequently direct the respondents to pay the salary to the petitioner for the month of September and to grant increment for the leave days within a time frame to be fixed by this Court.

For Petitioner : Ms.Geetha.D
For Respondents : Mr.N.Dilip Kumar,
Government Advocate

ORDER

The petitioner is working as an Office Assistant in the Tamil Nadu Gramma Bank. She has delivered a child on 13.01.2020. She was provided with six months of maternity leave as per Clause 65 of the Tamil Nadu Gramma Bank Staff Service Regulations from 12.12.2019 to 11.06.2020. After expiry of the maternity leave, the petitioner reported for duty on 12.06.2020, but from 15.06.2020 to 30.09.2020 she did not report for duty. The petitioner claims that she had submitted the leave application, but it was not considered. The petitioner was informed that her leave application for the period from 12.06.2020 to 30.09.2020 was returned by the head office that the petitioner is not eligible for leave as per Circular No.70/2020-21 dated 02.07.2020. Since the special leave cannot be considered for the petitioner, the petitioner was directed to



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submit a fresh application for any other leave than the special leave to regularise her absent period from 12.06.2020 to 30.09.2020.

2.The petitioner with a grievance that her increment was postponed that she was unauthorisedly absent for duty from 15.06.2020 to 30.09.2020 has approached this Court challenging the communication of the 2nd respondent dated 21.11.2020.

3.The learned Counsel for the respondents submits that in this unauthorised absence period between 12.06.2020 to 30.09.2020, 63 days were treated as privilege leave and 15 days were treated as sick leave and the remaining period of 30 days were treated as leave on loss of pay. Therefore, the increment which had to be paid to the petitioner in the month of September 2020 was postponed to October 2020 and it was paid from October 2020.

4.The petitioner has challenged the communication pertaining to the return of the request of the petitioner to treat the period from 12.06.2020 to 30.09.2020 as a special leave. By this communication, the



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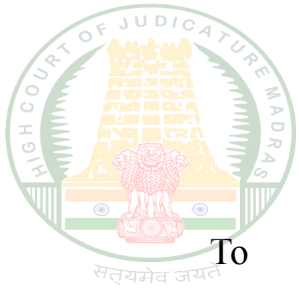
absent period from 12.06.2020 to 30.09.2020 was regularised by sanctioning 63 days privilege leave and by sanctioning 15 days sick leave and by treating the remaining 30 days as leave on loss of pay.

5.In view of the above, the petitioner shall submit a fresh application for regularising the 30 days period under any other leave. The period of 30 days treating as a leave on loss of pay, shall be considered under medical leave or any other leave sympathetically and it shall be regularised by the respondents.

6.This writ petition is closed with the above direction. No cost. Consequently connected miscellaneous petition is closed.

21.01.2025

DSK



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