



W.P.(MD)No.8096 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD) No.8096 of 2025

R.Swaminathan

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Bye pass Road,
Madurai 625 016.

2.The General Manager,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Virudhunagar,
Region Bye Pass Road,
Virudhunagar.

3.The Branch Manager,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Virudhunagar Region,
Rajapalayam I Branch.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to delete the petitioner's absence from duty from 06.02.2025 to 10.02.2025 in total 5 days and to take the same as medical leave and further to give the petitioner salary



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for the above said period of 5 days on the base of the petitioner representation dated 02.03.2025 within a stipulated time of period of time fixed by this Court.

For Petitioner : Mr.K.Gokul
For Respondents : Mr.K.Ramaiah
standing counsel

ORDER

The present writ petition has been filed seeking for a direction to the respondents to convert the petitioner's absence as Medical Leave from 06.02.2025 to 10.02.2025, in total 5 days and to give the petitioner's salary for the aforesaid period of 5 days, on the basis of the petitioner's representation, dated 02.03.2025.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was working as Conductor in the respondent Corporation. He was absent from duty for about 5 days from 06.02.2025 to 10.02.2025. The case of the petitioner is that during the said period, he suffered from virus fever. He has also enclosed an out-patient slip issued by a Doctor of



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Tirumangalam-SD Hospital, dated 06.02.2025. The petitioner's grievance is that the Management is not regularizing the period of absence as one of medical leave.

4.The learned Standing Counsel appearing on behalf of the management opposed the prayer on the ground that the writ petitioner fell ill conveniently on the day, when the strike was called and got well when the strike was called off. According to the Standing Counsel, can not be too much of a coincidence. The submissions of the learned counsel for the respondent, on the face of it, is sound.

5.This Court is, however, of the view that the issue can be given a quietus, by directing the respondents to treat the aforesaid period as one on medical leave. The management is directed to calculate the salary for the said period as one of medical leave.



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WEB COPY 6. Accordingly, this writ petition is allowed. No costs.

NCC :yes/no
Index :yes/no
Internet :yes/no

03.04.2025

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To

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BATTU DEVANAND, J.

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