



**CIRCULAR**

Sub: Courts and Judges – Leave applications of Judicial Officers in the cadre of Civil Judge and Senior Civil Judge being forwarded by the concerned Principal District Judges– requesting to grant Earned Leave/ Unearned Leave on Medical Certificate / Leave on short spells subsequently extended for further period / to grant Earned Leave for one or two days as there is no Casual Leave at credit – Leave applications of Judicial Officers in the cadre of District Judges – received either at the eleventh hour or on the day of commencement of leave and proceed on leave irrespective of noticing as to whether leave is granted or not in violation of instructions to submit leave applications well in advance – Circulars / orders of the High Court issued from time to time for strict compliance of Leave Rules – Various reasons attributed for delayed submission of leave applications – Entire gamut considered – Power delegated to the Principal District Judges / the District Judge (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai/ Unit Heads and the Chief Judge, Puducherry to sanction all kinds of leave, in respect of all Judicial Officers in their respective units for better administrative control – existing practice of submission of leave applications to Hon'ble High Court by the Principal District Judges/ the District Judge (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai/ Unit Heads and the Chief Judge, Puducherry alone shall be continued for sanction of Leave– orders issued – informed.

- Ref: 1.High Court's Circular in R.O.C.No.537/A/6-B2 (P.Dis.70/68), dated 15.2.1968  
2.High Court's Circular in R.O.C. No. P. Dis. No.19/ 1986, dated 28.1.1986  
3.High Court's Circular in R.O.C.No.8852/90-B6 dated 17.12.1990  
4.High Court's Circular in R.O.C.No.2202/2010/B6 (P.Dis.NO.38/2010) dated 23.3.2010  
5. High Court's Circular in R.O.C.No.2202A/2010/B6 dated 30.3.2010  
6. High Court's Circular in ROC.No.12047/2013/B6 dated 30.10.2013.

The attention of all the Principal District Judges/Unit Heads and the District Judge (where there is no Principal District Judge) and Presiding Officers of all Special Courts/ Family Courts/ Labour Courts and Industrial Tribunals is drawn to the circulars under references 1 to 6 cited above.



Inspite of strict instructions given by the High Court from time to time, it has come to light that leave applications for sanction of leave are being submitted either at the eleventh hour or on the day of commencement of leave, thereby making the exercise of granting leave futile and an empty ritual and such belated submission of leave applications is rampant, which needs to be steered clear as it causes inconvenience to the Hon'ble High Court, while granting such leave. Various reasons are attributed for the delay in submission of Leave applications of the Judicial Officers viz., (1) postal delay; (2) unavoidable circumstances like sudden demise of family members or relatives of Judicial Officers, in case of Earned Leave application; (3) delay in forwarding the leave applications from concerned unit Head; (4) delay in obtaining medical certificate from the Doctor; (5) discrepancies in the Medical Certificates and Fitness Certificates submitted; (6) typographical errors in CTCs; (7) typographical error / wrong mentioning of leave period, days of leave, prefixing and suffixing holidays etc.; (8) delay in transit of Service Register / Service Roll, from one unit to another in case of transfer/Promotion of the Judicial Officer, while informing the leave at credit of the Officer; and (9) Leave eligibility Reports received belatedly from The Principal Accountant General (A&E), Chennai, The Pay and Accounts Officer, Pay and Accounts Office, Chennai and The Assistant Pay and Accounts Officer, Sub Pay and Accounts Office, Madurai. So much so that, all the instructions already issued for strict compliance proved counter-productive. This has necessitated revisiting of instructions issued hitherto for the purpose of streamlining the procedure for submitting leave applications.

After going through the entire gamut, the High Court, being the Head of District Judiciary, has decided to delegate its power to sanction leave to the Heads of subordinate Judiciary, thereby empowering the Principal District Judges and the District Judge (where there is no Principal District Judge) / Unit Heads of Tamil Nadu State Judicial Service and Puducherry Judicial Service, under Rule 66 of the Fundamental Rules of the Tamil Nadu Government viz., 'Leave Procedure and Certificate of Admissibility', vide Annexure-II, Part I and Section IV, and pari materia provisions of Union territory of Puducherry. Accordingly, power to sanction leave is delegated to the Principal District Judges/ the District Judge (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai/ Unit Heads and the Chief Judge, Puducherry, subject to certain conditions. The Principal District Judges/ the District Judge (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai/ Unit Heads and the Chief Judge, Puducherry shall henceforth ensure submission of leave applications by the Officers in their units well in advance and obtain leave particulars of the Officers in their units, such as leave admissibility report/ leave availed particulars etc., directly from the PAO/ AG, as the case may be, in advance, which would facilitate them to sanction leave before the commencement of leave, which would in turn enhance better administrative control.





All the Principal District Judges / the District Judge (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai/ Unit Heads and the Chief Judge, Puducherry are hereby empowered to sanction all kinds of leave, in respect of all Judicial Officers in their respective units, including Special Courts/ Labour Courts/ Family Courts/ Special Courts to try cases under CBI, EC and NDPS Act, Prevention of Corruption Act etc., to maintain uniformity. It shall be borne in mind that all the Judicial Officers presiding over Special Courts, Labour Courts etc., are also governed by Fundamental Rules and such delegation is made based on the post and not the person manning the post and in any event the Principal District Judges / the District Judge (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai/ Unit Heads / The Chief Judge, Puducherry/ Chief Judge is the Head of the judiciary in a particular District and Union Territory respectively, though Special Courts are manned by Judicial Officers senior in cadre i.e., senior than Principal District Judges or District Judges at times. The delegation of such power should not cause any misgivings, because the power of delegation is made by the High Court to the respective unit Heads for better administrative control.

The Principal District Judges/ the District Judges (where there is no Principal District Judge)/ The Principal Judge, City Civil Court, Chennai / The Chief Judge, Court of Small Causes, Chennai / Unit Heads and the Chief Judge, Puducherry concerned are required to maintain the leave account of every individual officer functioning in their unit and produce the same as and when required by the High Court.

Insofar as the leave applications of the Principal District Judges (PDJs), District Judges (where there is no Prl.District Judge), Principal Judge, City Civil Court, Chennai, Chief Judge, Court of Small Causes, Chennai and Chief Judge, Puducherry, the same shall be submitted to the High Court for sanction of leave and the existing procedure can be adopted and they shall also furnish their leave particulars such as leave availed, leave available etc., to the High Court to place the same before the respective Hon'ble Portfolio Judges concerned. In case of any clarification with regard to the delegated powers, the Principal District Judges shall address the Registrar General.

HIGH COURT OF MADRAS,  
CHENNAI, DATED: 26.02.2021

SD/- C.KUMARAPPAN  
REGISTRAR GENERAL

// True copy / forwarded / by order//



Assistant Registrar (A.D-II)



To:

1. All the Hon'ble Judges, High Court, Madras. (For information)
2. All the Registrars of Madras High Court and Madurai Bench of Madras High Court, Madurai.
3. All the Principal District Judges/ District Judges[where there is no Principal District Judges] (required to communicate this circular to all the Individual Officers functioning in their respective District/Unit).
4. The Principal Judge, City Civil Court, Chennai-104 (required to circulate to all Judicial Officers [Courts / Tribunals] functioning in Chennai District).
5. The Chief Judge, Court of Small Causes, Chennai. (with request to communicate this circular to all the individual Officers under his control)
6. The Chief Judge, Puducherry (with request to communicate this circular to all the individual Officers functioning in the District/Unit)
7. The Presiding Officer, Labour Court, Chennai, I/II/III Additional Labour Court, Chennai.
8. The Presiding Officer, Industrial Tribunal, Chennai.
9. The Chairman, Taxation Appeals Tribunal, Corporation of Chennai.
10. The Director, Tamil Nadu State Judicial Academy, Chennai-28. (with request to communicate this circular to all the individual Officers under his control)
11. The Chairman, Tamil Nadu Sales Tax Appellate Tribunal, Chennai.(with request to communicate this circular to all the individual Officers under his control)
12. The Chairman, Tamil Nadu State Transport Appellate Tribunal, Chennai.(with request to communicate this circular to all the individual Officers under his control)
13. The Chairman, Tamil Nadu Waqf Tribunal, Chennai.
14. The Presiding Officer, Labour Court, Coimbatore/ Cuddalore/ Kancheepuram/ Krishnagiri @Hosur/ Madurai/ The Nilgiris/ Salem/ Thanjavur @ Kumbakonam/ Tiruchirapalli/ Tirunelveli/.
15. The Presiding Officer, Principal Labour Court, Coimbatore/ Vellore.
16. The Member Secretary, Tamil Nadu State Legal Services Authority, Chennai / Pondicherry Legal Services Authority, Pondicherry.(with request to communicate this circular to all the individual Officers under his control)
17. The Administrator General & Official Trustee, Madras-104. (with request to communicate this circular to all the individual Officers under his control)
18. The Director, Tamil Nadu Mediation and Conciliation Centre, High Court, Madras.
19. The Official Assignee, High Court, Madras.
20. The Chief Editor, Tamil Law Journal, High Court, Madras-104.(with request to communicate this circular to all the individual Officers under his control)
21. The Chief Metropolitan Magistrate, Egmore, Chennai.
22. All the Chief Judicial Magistrates.
23. The Master, High Court, Madras.
24. The Deputy Official Assignee, High Court, Madras-104.
25. The Accountant General, O/o. Accountant General (A&E), Chennai-18.
26. The Senior Accounts Officer, GAD-IV Section, O/o. Accountant General (A&E),Chennai-18.
27. The Pay and Accounts Officer, Pay and Accounts Office, High Court Campus, Madras.
28. The Sub Pay and Accounts Officer, Madurai Bench of Madras High Court, Madurai-23.
29. The Commissioner of Treasuries and Accounts, Commissionerate of Treasuries and Accounts, No. 571, Amma Complex, Nandanam, Chennai-35. (with request to communicate this circular to all Treasuries under his control)

30. The Record Keeper, A.D. Records, High Court, Madras/ Madurai Bench of Madras High Court, Madurai.  
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Copy to:

1. The Section Officer, B section (B6 and B7 Seats) High Court, Madras.
2. The Section Officer, B section (B6 and B7 Seats), Madurai Bench of Madras High Court, Madurai.
3. The Section Officer, J Section, High Court, Madras.
4. The Section Officer, J Section, Madurai Bench of Madras High Court, Madurai.

Copy Communicated to all the Judicial Officers of  
Madurai District for information.

 2.3.21

PDJ

02/03/2024

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