

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01-06-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.A.No.719 of 2015
and M.P.No.1 of 2015

- 1 The Government of Tamilnadu
Rep by its Principal Secretary to Government
Rural Development and Panchayat
Raj Department
Fort St. George
Chennai 9
 - 2 The Principal Secretary to
Government of Tamilnadu
Finance Department
Fort St. George Chennai 9
 - 3 The Commissioner of Rural Development
and Panchayat Raj
Panagal Building
Saidapet
Chennai 15
 - 4 The District Collector
Dindigul District
Dindigul
- Appellants/Respondents 1 to 4

Vs

- 1 A.Sethu
Deputy Block Development Officer (Retired)
1/78 Rice Mill Street
Old Batlagundu
Nilakottai Taluk
Dindigul District 624 202
- 2 S.Govindaraj
Junior Assistant (Retired)
1-16-25H/66 M.S. Street
Gandhi Nagar, Batlagundu Post
Nilakottai Taluk, Dindigul District

3 The Principal Accountant General (A & E)
Tamil Nadu
No.361 Anna Salai
Chennai 18

Respondents /Petitioners & 5th
Respondent

Writ Appeal against the order dated 23-07-2014 in W.P.No.19630 of 2014.

WP.19630/14:Petition praying to issue a writ of certiorarified mandamus or any other appropriate writ, order or direction in the nature of a writ, to call for the records pertaining to paragraph 4 (b) of G.O.Ms.NO.77 Rural Development and Panchayat Raj(PA4) department dated 12.07.2013 of the first respondent and quash the same in so far it relates to the petitioner and further direct the respondents to count 50% of the services rendered by the petitioners in the post of part time panchayat clerk along with regular service for the purpose of pension in accordance with G.O.Ms.No.39 Rural Development Department and Panchayat Raj dated 13.06.2011.

For appellant :: Mr. P.S. Sivashanmugasundaram,
Spl.G.P.

For respondents 1&2 :: Mr. V. Suthakar

ORDER

The appellant has come forward with this appeal challenging the order dated 23-07-2014 passed by the learned Single Judge in W.P.No.19630 of 2014, directing the respondents to calculate and issue orders granting pension and other benefits, within a specified period.

2. On a perusal of the impugned order dated 23-07-2014, it is evident that the learned Single Judge, passed the order on the submission made by the learned Additional Government Pleader appearing in the matter, stating that the judgment rendered in W.P.Nos.2387, 26583, 26785 and 28878 of 2013 dated 27-06-2014 can be applied to the respondents herein. As such, we are not inclined to entertain the appeal, at this stage. However, liberty is reserved to the appellant, to prefer review, if so advised and as permissible under provisions of law.

3. The writ appeal is dismissed as above. No costs. The connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1 The Principal Secretary to Government
Government of Tamilnadu
Rural Development and Panchayat
Raj Department
Fort St. George ,Chennai 9
- 2 The Principal Secretary to
Government of Tamilnadu
Finance Department
Fort St. George Chennai 9
- 3 The Commissioner of Rural Development
and Panchayat Raj
Panagal Building
Saidapet
Chennai 15
- 4 The District Collector
Dindigul District
Dindigul
- 5 The Principal Accountant General (A & E)
Tamil Nadu
No.361 Anna Salai
Chennai 18

+1 cc to Mr.v.suthakar, Advocate,SR.25968.

sai(co)
krd 4/6

W.A.No.719 of 2015
and M.P.No.1 of 2015

सत्यमेव जयते

WEB COPY