



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE **NOOTY.RAMAMOHANA RAO**
and
THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Writ Appeal (MD) Nos.46 and 47 of 2015
& M.P(MD)Nos.1 and 1 of 2015

Writ Appeal (MD) No.46 of 2015

- 1.The Government of Tamil Nadu,
Rep. by Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Secretariat,
Chennai - 600 009.
 - 2.The Director of Rural Development,
Panagal Building, Saidapet,
Chennai - 600 015.
 - 3.The District Collector,
Thanjavur District,
Thanjavur.
 - 4.The Block Development Officer,
Thiruvonam,
Thanjavur District. ... Appellants/Respondents 1 to 4
- Vs-.
- 1.G.Durairajan ...1st Respondent / Petitioner
 - 2.The Accountant General,
No.361, Anna Salai,
Chennai - 600 015. ...2nd Respondent/5th Respondent

Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 30.06.2014 made in W.P.(MD) No.6716 of 2014 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD). 6716/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to grant pension and other benefits to the petitioner based on the proposal sent by the 4th respondent in 2650/2011/A1 dated 11.08.2011 by counting 50% of



service of the petitioner as Part Time Panchayat Clerk from 01.08.1970 to 04.01.1991 , from the date of his retirement.

For Appellant : Mr.T.S.Mohamed Mohideen
Additional Government Pleader
For Respondent 1 : Ms.J.Nisha Banu

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Writ Appeal (MD) No.47 of 2015

- 1.The Government of Tamil Nadu,
Rep. by Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Secretariat,
Chennai - 600 009.
 - 2.The Director of Rural Development,
Panagal Building, Saidapet,
Chennai - 600 015.
 - 3.The District Collector,
Thanjavur District,
Thanjavur.
 - 4.The Block Development Officer,
Thiruvonam,
Thanjavur District. ... Appellants/Respondents 1 to 4
- Vs-.
- 1.V.Kesavan ...1st Respondent / Petitioner
 - 2.The Accountant General,
No.361, Anna Salai,
Chennai - 600 015. ...2nd Respondent/5th Respondent

Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 30.06.2014 made in W.P.(MD) No.7355 of 2014 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD). 7355/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 4th respondent to resent the petitioner s revised pension proposal to the 5th respondent and consequently direct the 5th respondent to grant the revised pension and other benefits by counting 50% of service of the Petitioner as Part Time Panchayat Clerk from 09.06.1965 to 05.01.1991, from the date of his retirement.

For Appellant : Mr.T.S.Mohamed Mohideen
Additional Government Pleader
For Respondent 1 : Ms.J.Nisha Banu

**COMMON JUDGMENT**

(Judgment of the Court was delivered
by **NOOTY.RAMAMOHANA RAO,J**)

Though these Writ Appeals are preferred against the judgment rendered by a learned Single Judge in W.P.(MD)Nos.6716 and 7355 of 2014, the learned Additional Government Pleader has brought to our notice that entertaining a similar lis in W.A.(MD) No.361 of 2016 a Division Bench of this Court by its order dated 03.03.2016 dismissed that Writ Appeal. The Division Bench in turn followed the view taken by another Division Bench in W.A.(MD)No.1028 of 2015 dated 30th September 2015. It is also brought to our notice by the Additional Government Pleader that the order passed by this Court in those Writ Appeals has been complied with by the Government. In that view of the matter, we dismiss the Writ Appeals for the same reasons which have been set out in W.A.(MD) Nos.1028 of 2015 and 361 of 2016. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

The Accountant General, No.361, Anna Salai, Chennai - 600 015.

+1 cc to The Special Government Pleader in SR.No. 27910

+2 cc's to M/s.J.Nisha Banu, Advocate in SR.Nos.27515,27516

srm

CSL/SKS-RR/13.06.2016 : 3p/5c

Writ Appeal (MD) Nos.46 and 47 of 2015
02.06.2016