



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 09.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.(MD)No.1087 of 2014

M.Jagadeesan

.. Appellant

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

...Respondents

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent, praying to set aside the order of the learned Judge in W.P.(MD) No.8174 of 2010, dated 15.07.2014.

Prayer in WP(MD). 8174/ 2010 :

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a WRIT OF CERTIORARIFIED MANDAMUS calling for the records relating to the impugned memorandum in O.Mu.A.2/697/10 dated 24.5.2010, quash the same and consequently direct the respondents to include the period of service from 30.5.1955 to 14.11.1980 rendered by the petitioner as village karnam for pensionable purposes.

For Appellant : Mr.T.Antony Arul Raj

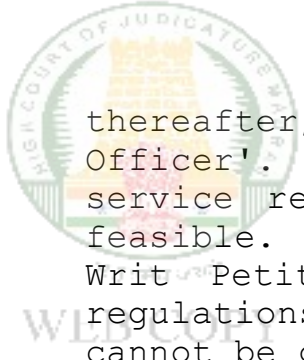
For R1 & R2 : Mr.M.Murugan
Government Advocate

JUDGMENT

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

This Writ Appeal has been filed to set aside the order passed by the learned Judge in W.P.(MD)No.8174 of 2010, dated 15.07.2014.

2. In this Writ Appeal, the appellant wants to take into consideration of his service rendered as 'Village Karnam' which post was abolished being a honorarium in nature. It appears that



thereafter, the appellant was appointed as 'Village Administrative Officer'. Thereafter, he made a request for considering the past service rendered as 'Village Karnam'. It was not found to be feasible. The learned Single Judge was pleased to dismiss the Writ Petition holding that in the absence of any rules and regulations governing the case of the petitioner, any relief cannot be granted.

3. The learned counsel appearing for the appellant relied upon the Government Orders in G.O.No.756, Revenue Department, dated 17.08.1993 and G.O.No.408, dated 25.08.2009. Unfortunately, these Government orders have not been placed before the learned single Judge. Thus, we do not find any error in the order passed by the learned Single Judge.

4. Accordingly, this Writ Appeal stands disposed of. It is well open to the appellant to make a fresh representation citing the said Government Orders. As and when the representation is made, the first respondent/ District Collector shall pass appropriate orders on merits and in accordance with law, within a period of eight weeks. No costs.

Sd/-
Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

+1 cc to Mr.T.Antony Arul Raj , Advocate in SR.No. 71891

ta/skn
AE/JC/SAR3/24.08.2017/2P/4C

W.A. (MD) No.1087 of 2014
09.08.2017