



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A. (MD) No.915 of 2015

Tmt.M.Pappathiammal

... Petitioner

1. The Secretary to Government,
Adi Dravidar Welfare Department,
Fort.St. George,
Chennai -9.
- 2.The Director,
Adi Dravidar Welfare Department,
Chepauk,
Chennai-5,
- 3.The Principal Accountant General (A&E),
No.361, Anna Salai,
Chennai-18.
4. The District Adi Dravidar Welfare Officer,
Virudhunagar District,
Virudhunagar.
5. The Special Tahsildar,
Adi Dravidar Welfare Department,
Virudhunagar District,
Virudhunagar.
- 6.The Assistant Treasury Officer,
Sub Treasury,
Virudhunagar District,
Virudhunagar.

...Respondents

PRAYER: Writ Appeal filed under Clauses 15 of Letters Patten, to allow the appeal and set aside the order of the Learned Judge of this Court in W.P.(MD)No.10682 of 2012 dated 24.08.2012.

Prayer in WP(MD). 10682/ 2012 :

<https://hcservices.ecourts.gov.in/hcservices/>

To issue a Writ of Mandamus to direct the respondents herein to revise the pensionary benefits of the petitioner with



effect from 01.01.1981 on the basis of G.O Ms. No. 250 dated 09.11.1992.

WEB COPY

For Petitioner : Mr.T.Antony Arul Raj
For R1,R2,R4 to R6 : Mr.V.R.Shunmuganadhan
Special Government Pleader
For R3 : MR.P.Gunasekaran

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner has attained the age of superannuation in the year 2004. Prior to that, his service was regularized from 08.03.1988 by the proceedings of the District Adi Dravidar Welfare Officer, Virudhunagar, dated 05.05.1988. The petitioner made a request for regularization with effect from the initial appointment made in the year 1981. The recommendation seems to have been made by the District Adi Dravidar Welfare Officer to the Director/Commissioner, Adi Dravidar Welfare Officer, Chennai in Na.K.T.2/10399/2006, dated 27.06.2011. In the meanwhile, the petitioner attained the age of superannuation. Therefore, the present writ petition was filed, which was dismissed on the ground of delay and laches and hence, the petitioner filed the present appeal.

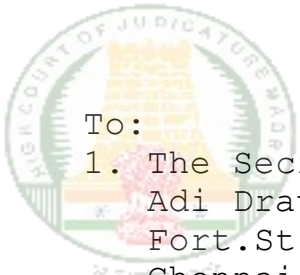
2.The learned counsel for the petitioner would submit that the fate of the recommendation is not known. The recommendation is made during the pendency of the service, therefore, appropriate orders may be passed by the second respondent. Even in the counter affidavit, the fate of the recommendation made on 27.06.2011 is not known.

3.Thus, we direct the second respondent to pass appropriate orders on the aforesaid recommendation, dated 27.06.2011, if not disposed of already, within a period of eight weeks from the date of receipt of a copy of this order. If the said recommendation is disposed of already, the second respondent is directed to give a copy of the same to the petitioner.

4. With the above direction, the writ appeal is disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True copy/



To:

1. The Secretary to Government,
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6.The Assistant Treasury Officer,
Sub Treasury,
Virudhunagar District,
Virudhunagar.

+1 cc to Mr.P.Gunasekaran , Advocate in SR.No. 70736

+1 cc to Mr.T.Antony Arul Raj , Advocate in SR.No. 70825

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AE/MR KKR/SAR2/23.08.2017/3P/9C

W.A. (MD) No.915 of 2015

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