



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A(MD)Nos.1102 and 1103 of 2017

Kulanthairaj
T.Savarimuthu

.. Appellant in W.A(MD)No.1102/2017
.. Appellant in W.A(MD)No.1103/2017

Vs.

1. The Director,
Local Fund Audit,
4th Floor Integrated Finance Department Building,
Nanthanam,
Chennai.

2. The Assistant Director,
Local Fund Audit,
The Residential Audit Section,
Thanjavur Municipality Corporation,
Thanjavur.

3. The Commissioner,
Thanjavur Municipality Corporation,
Thanjavur.

.. Respondents(in both W.As)

These Writ Appeals are filed under Clause 15 of Letters Patent Act, praying to set aside the order dated 12.07.2017 made in W.P.Nos.12860 and 12861 of 2017.

Prayer in WP(MD). 12860/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, call for records pertaining to the Mu.Mu.No. 25646/Na.O.Sa(5) 2015 dated 30.06.2016 passed by the 2nd Respondent and quash the same and direct the Respondents to award bonus increment as per G.O.(MD) No. 562 dated 28.10.1998 and disburse the monitory benefits within the time stipulated by this Honble court.

Prayer in WP(MD). 12861/ 2017 :

<https://hcservices.ecourts.gov.in/hcservices/> Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus, call for records pertaining to the



Mu.Mu.No. 25645/Na.O.Sa.(5) 2015 dated 02.08.2016 passed by the 2nd respondent and quash the same and direct the respondents to award bonus increment as per G.O(MD) No. 562 dated 28.10.1998 and disburse the monetary benefits within the time stipulated by this Hon'ble Court.

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For Appellant in both WAs : Mr.G.Karnan
For Respondents in both WAs : Mr.M.Govindan
Special Government Pleader

COMMON JUDGMENT

[JUDGMENT of the Court was delivered by G.R.SWAMINATHAN,J.]

The unsuccessful writ petitioners have filed these intra Court appeals challenging the common order dated 12.07.2017 dismissing W.P.(MD)Nos.12860 and 12861 of 2017. The appellants were working as Field Assistant and Sanitary Supervisor respectively in the third respondent municipality. They were promoted as Sanitary Inspectors in the year 1984. They retired from service in 2007 and 2008. Thereafter, they came to know that their increment were not properly calculated. They therefore approached the respondents that revised proposal must be sent by awarding bonus increment as per G.O.Ms.No.562 dated 28.10.1998. They had given representations and the same were also forwarded to the third respondent, but the proposals were rejected. Questioning the same, the appellants filed the said writ petitions. The learned Judge dismissed the writ petitions on the ground that they are hit by laches.

2.We are of the view that the learned Judge was right in non-suiting the appellants on the ground of delay. The writ petitions came to be filed only in the year 2017. They retired long time back. Therefore, at this point of time, such writ petitions cannot be entertained and enquired into. We see no reason to take a different view. These appeals have no merit and stand dismissed. No costs.

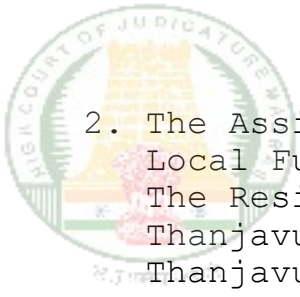
Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To:

1. The Director,
Local Fund Audit,
4th Floor Integrated Finance Department Building,
Nanthanam,
Chennai.



2. The Assistant Director,
Local Fund Audit,
The Residential Audit Section,
Thanjavur Municipality Corporation,
Thanjavur.

3. The Commissioner,
Thanjavur Municipality Corporation,
Thanjavur.

+ 2 CC TO Mr.G.KARNAN, ADVOCATE IN SR No. 72773, 72774

VSG/RMI

TE/KP/SAR-IV : 06/11/2017 : 2P/6C

W.A(MD)No.1102 and 1103 of 2017
17.08.2017