

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Twentieth day of December Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

WEB COPY

WMP(MD) No.1062 of 2017

IN

WP(MD) No.3772 of 2009

K.SOLAIMALAI

... PETITIONER

Vs

1.THE STATE OF TAMIL NADU,
REP. BY ITS SECRETARY TO GOVERNMENT,
MUNICIPAL ADMINISTRATION AND WATER SUPPLY DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009.

2.THE COMMISSIONER OF MUNICIPAL ADMINISTRATION,
CHEPAUK, CHENNAI-600 005.

3.THE COMMISSIONER,
MADURAI CITY MUNICIPAL CORPORATION,
MADURAI -625 002.

4.THE CHIEF TOWN PLANNING OFFICER (I/C),
MADURAI CITY MUNICIPAL CORPORATION,
MADURAI - 625 002.

... RESPONDENTS

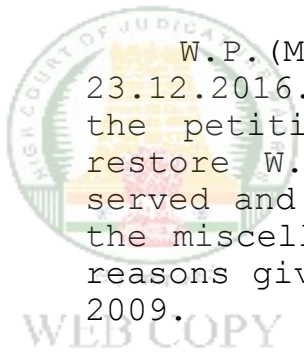
Prayer in WMP(MD) No.1062 of 2017:-

Miscellaneous Petition filed under Article 226 of Constitution of India, praying this Hon'ble Court to set aside the order dated 23.12.2016 and restore WP(MD) No.3772 of 2009.

Prayer in WP(MD). 3772/ 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 4th Respondent issued in Ma.Thi.1/38947/08, dated 30.1.2009 and to quash the same and to direct the 1st Respondent to issue appropriate orders as in G.O.Ms.No.202, MAWS Department, dated 16.10.2008 clarifying that the retirement age of the Basic Servants working in the Corporation is also 60 years.

ORDER : This petition coming on for hearing, and upon the perusing the affidavit and petition filed, and upon hearing the arguments of M/s.AL.Gandhimathi, Advocate for the Petitioner, and of Mr.N.S.Karthikeyan, Special Government Pleader on behalf of the Respondent Nos.1 and 2, and Mr.R.Murali, Advocate for the 3rd Respondent, this Court made the following order:-



W.P.(MD)No.3772 of 2009 was dismissed for default on 23.12.2016. The instant miscellaneous petition has been filed by the petitioner to set aside the order dated 23.12.2016 and to restore W.P.(MD)No.3772 of 2009. All the respondents have been served and they have not raised any serious objections for allowing the miscellaneous petition. This Court is also satisfied with the reasons given in the affidavit for restoration of W.P.(MD)No.3772 of 2009.

2.In the result, the order dated 23.12.2016 passed by this Court in W.P.(MD)No.3772 of 2009 is set aside and the writ petition is restored to file. Post the main writ petition on 24.01.2018.

sd/-
Assistant Registrar(T&P)

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1.THE SECRETARY TO GOVERNMENT OF TAMIL NADU,
MUNICIPAL ADMINISTRATION AND WATER SUPPLY DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009.
- 2.THE COMMISSIONER OF MUNICIPAL ADMINISTRATION,
CHEPAUK, CHENNAI-600 005.
- 3.THE COMMISSIONER,
MADURAI CITY MUNICIPAL CORPORATION,
MADURAI - 625 002.
- 4.THE SECTION OFFICER,
WRIT SECTION POSTING,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED :20/12/2017

ORDER

WMP(MD) No.1062 of 2017
IN
WP(MD) No.3772 of 2009

AE/JC/SAR1/02.01.2018/2P/5C