



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A.[MD]No.1446 of 2018
and
C.M.P.[MD]No.10084 of 2018

1. The Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.
2. The Additional Chief Secretary,
And Commissioner of Revenue Administration,
Ezhilagam,
Chepak,
Chennai - 600 005.
3. The District Collector,
Ramanathapuram District,
Ramanathapuram.
4. The Tahsildar,
Kamuthi Taluk,
Kamuthi,
Ramanathapuram District. : Appellants

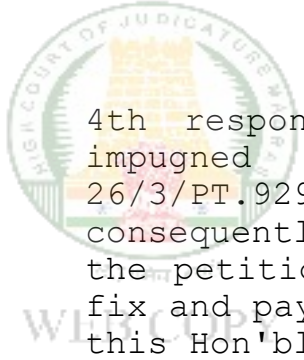
Vs.

1. K.Lakshmanan
2. The Accountant General,
No.361, Anna Salai,
Teynampet,
Chennai - 600 018. : Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, praying to set aside the order dated 10.07.2018 in W.P.[MD]No.8714 of 2018.

Prayer in WP(MD)No.8714 of 2018 :

<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 calling for the impugned order passed by the



4th respondent in ROC.No.A4/45646/2016 dated 21.10.2016 and the impugned order passed by the 3rd respondent in PEN 26/3/PT.9290/2017-18 dated 09.10.2017 and quash the same and consequently direct the respondents to count the service rendered by the petitioner as Thalaiyari from 01.02.1975 to 31.05.1995 and re-fix and pay the pensionary benefits within the time as stipulated by this Hon'ble Court.

For Appellants : Mr.A.K.Baskarapandian
 `Special Government Pleader

JUDGMENT

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

When the matter is taken up for hearing, the learned Special Government Pleader appearing for the appellants submitted that the issue involved in this Writ Appeal is no longer *res integra*, since in a similar issue, the Division Bench of this Court, in **W.A. [MD] No.16 of 2009 dated 16.02.2000**, was pleased to hold as follows:

"11.In view of out above finding, we uphold the order passed by the learned Single Judge and dismiss the writ appeal. We make it clear that the respondents should pay pension in favour of the writ petitioner (respondent herein) within one month from today, if not yet paid, failing which they will be liable to pay 12 interest per annum from the date of retirement of the writ petitioner, (respondent herein).

12.With the aforesaid observation and direction, the writ appeal is dismissed. But, there shall be no order as to costs. Connected M.P.[MD]No.1 of 2009 is also dismissed."

2.The said decision of this Court is applicable to the case on hand and the issue involved in this case is no longer *res integra*.

3.The Writ Appeal stands dismissed, accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
 Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)



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5. The Accountant General,
No.361, Anna Salai,
Teynampet,
Chennai - 600 018.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 91127

MR

TE/RP/SAR-4 : 08/11/2018 : 3P/7C

JUDGMENT MADE IN
W.A. [MD] No.1446 of 2018
22.10.2018