



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE Mrs. JUSTICE R.THARANI

W.A. (MD) No.442 of 2018
and
C.M.P. (MD) No.2648 of 2018

1. The State of Tamil Nadu rep by its
Secretary to Government,
Revenue Department,
Fort St.George,
Chennai.-9.
 2. The District Collector,
Virudhunagar District,
Virudhunagar.
 3. The Tahsildar,
Sathur Taluk,
Virudhunagar District.
- ... Appellants

Vs.

K.Muthammal ... Respondent

PRAYER: Appeal filed under Clause 15 of Letter Patent to set aside the order dated 01.11.2016 made in W.P.(MD)No.20869 of 2016 on the file of this Court and allow this Writ Appeal.

Prayer in WP(MD). 20869/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to sanction and pay the pension arrears of the petitioners deceased husband Late.Karuppan for the period from 01.05.2000 to 01.10.2010 and family pension arrears from 02.10.2010 to till date to the petitioner by taking into account the service rendered by her husband in the post of Village Assistant prior to his regularization dated 01.06.1995 for the purpose of pension computation with the time limit that may be fixed by this Hon'ble Court.

**JUDGMENT****(Judgment of the Court was delivered by T.S.SIVAGNANAM, J.)**

Heard Mr.V.R.Shanmuganadhan, learned Special Government Pleader appearing for the appellants.

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2.This appeal is directed as against the order passed in W.P.(MD)No.20869 of 2016. We find in the order passed in the order, the Writ Court took into consideration that the similar issue involved in the Writ Petition had already been decided by this Court in W.P.(MD)Nos.11094 to 11101 of 2008 & in W.A.(MD) Nos.204 to 211 of 2011, by passing a common Judgment dated 14.02.2011 relying on Rule 11 of the Tamil Nadu Pension Rules and granted the relief as prayed for.

3.The factual and legal position was not disputed by the appellant. Hence, no ground to interfere with the impugned order. Accordingly, Writ Appeal is dismissed. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

4.The appellants are directed to implement the order passed in the Writ Petition within a period of 12 weeks from the date of receipt of a copy of this judgment.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai.-9.

2.The District Collector,
Virudhunagar District, Virudhunagar.

3.The Tahsildar,
Sathur Taluk, Virudhunagar District.

Gns

AE/SKN RSK/SAR2/24.04.2018/2P/4C

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