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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T. ASHA

W.A.No.549 of 2015

- 1.The Government of Tamil Nadu
Represented by its Secretary
School Education Department
Fort.St.George, Chennai - 600 009.
- 2.The Director of School Education
Chennai - 600 006.
- 3.The Joint Director (Hr.Secondary)
Vocational, Chennai - 600 006. Appellants

-vs-

Mrs.K.Yesodadevi Respondent

Write Appeal filed under Clause 15 of Letter Patent against the order in W.P.No.4486 of 2014 dated 19.02.2014 on the file of the High Court of Judicature at Madras.

W.P.No.4486/2014:

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, Directing the respondents to include the services rendered by the petitioner from initial appointment till regularization (i.e.1.8.1984 to 1.4.1990) for the pension purpose.

For Appellants : Mr.C.Munusamy
Special Government Pleader
Education

For Respondent : No appearance



J U D G M E N T

[Judgment of the Court was delivered by P.T.ASHA,J.]

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The above Intra-Court appeal is filed challenging the order dated 19.02.2014, in W.P.No.4486 of 2014. The above Writ Petition was filed seeking issue of a Writ of Mandamus, directing the respondents to include the services rendered by the respondent herein from the initial appointment till her regularisation i.e., from 01.08.1984 to 01.04.1990, for computing the pension.

2.By an order dated 19.02.2014, this Court was pleased to pass the following order:

"6.Following the order passed by this Court in the said Writ petitions, this Writ petition is disposed of, directing the respondents to count 50% of the service rendered by the petitioner from initial appointment till regularisation i.e., 01.08.1984 to 01.04.1990 along with the regular service for the purpose of pensionary benefits and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Civil Miscellaneous petition is closed."

3.The learned Judge had followed the earlier orders passed by this Court in W.P.Nos.30671 and 30672 of 2013 dated 14.11.2013 [M.Nagarasan and others V. The State of Tamil Nadu, Rep. By Secretary to Government] and W.P.No.32346 of 2013 dated 27.11.2013 [S.Vaidehi V. Government of Tamil Nadu, Rep. By Secretary to Government].

4.This order is the subject matter of the challenge in the present appeal. Pending the appeal the 1st respondent has issued G.O.M.S.No.194 dated 12.09.2018, in and by which the Government had decided to implement the order dated 06.04.2018 in W.P.Nos.882, 808 of 2017 by counting 50% of the services rendered by those employees who had invoked the Jurisdiction of Madurai Bench of this Court at whose instance the order dated 06.04.2018 had been passed and have also decided to extend the benefit to those who have approached the Court by filing proceedings upto 06.04.2018, for the purpose of computing pensionary benefits.



In view of the fact that the appellants have implemented the order passed in W.P.No.4486 of 2014 by passing the above Government Order, nothing survives for consideration in the above Writ Appeal and the above Writ Appeal stands dismissed as infructuous. There shall be no order as to costs.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

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+1 CC to Govt. Pleader sr 45407

W.A.No.549 of 2015

VSNII(CO)
SP(05/08/2019)