

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.07.2019
CORAM
THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Appeal No.430 of 2013
and
M.P.No.1 of 2013

- 1 THE SECRETARY TO GOVT.
REVENUE DEPARTMENT FORT ST. GEORGE
CHENNAI- 600 009.
 - 2 THE COMMISSIONER FOR REVENUE
ADMINISTRATIONS CHEPAUK CHENNAI-5
 - 3 THE DISTRICT COLLECTOR
VELLORE DISTRICT VELLORE. APPELLANTS /RESPONDENTS
- Vs
- 1 P.SUBRAMANIAN
S/O. T.R. PONNUSAMY MALAAMPATTU PUTHUR
VILLAGE THENNAMPATTU POST AMBUR (VIA)
VELLORE DISTRICT.
 - 2 THE ACCOUNTANT GENERAL OF
TAMILNADU TEYNAMPET CHENNAI.
.....RESPONDENTS/PETITIONER/4TH RESPONDENT

Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 27-07-2011 made in WP NO.8318/2011 passed by the Honble Court.

W.P.NO. 8318 OF 2011 : Petition filed under Article 226 of the constitution of India, for the issuance of a Writ of Mandamus, direct the respondents to court the past services of the Petitioner as Village Kannam from 25.8.73 to 14.11.80 as qualifying service under Rule 11 of the Tamil Nadu Pension Rules 1978 and consequently revise the pension and pensionary benefits and pay the arrears in the revised pension and other consequential monetary benefits.

For Appellants : Mrs.A.Sri Jayanthi
Special Government Pleader

For Respondents: R1- Died - No steps
No appearance - R2

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.,)

According to the learned Special Government Pleader during the currency of the appeal, the first respondent died. In fact, even on 08.04.2018, a representation was made by the learned Government Pleader that he would file an application for impleading the legal heirs of the first respondent. Till today no application is filed to implead the legal heirs of the first respondent as parties.

2. The appeal abates against the first respondent. In view of the fact that the Writ Petition filed by the first respondent was allowed by the Writ Court, nothing further survives for adjudication. The intra Court appeal is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1. THE ACCOUNTANT GENERAL OF TAMILNADU
TEYNAMPET CHENNAI.
2. THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
FORT ST. GEORGE, CHENNAI-9.
3. THE COMMISSIONER FOR REVENUE ADMINISTRATION,
CHEPAUK, CHENNAI-5.
4. THE DISTRICT COLLECTOR,
VELLORE, VELLORE DISTRICT.

+1cc to Mr.A.Sundaravadhanam, Advocate, S.R.No. 55650
+1cc to Mr.Hemamuralikrishnan, Advocate, S.R.No.55352
+1cc to the Government Pleader, S.R.No. 55457

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NMI (CO)
GN(07/08/2019)