

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.02.2019
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.21458 of 2014
and M.P.No.1 of 2014

K.Thangavelu

...Petitioner

Vs

1.The District Collector,
District Collector's Office
Dharmapuri District.

2.The District Educational Officer,
Dharmapuri District.

3.The Assistant Elementary Educational Officer,
Pappireddipatti,
Dharmapuri District.

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for all the relevant records relating to the impugned order of removal from service to the petitioner in Na.Ka.No.4271/A1/99 dated 03.02.2005 on the file of the second respondent, quash the same as arbitrary, unreasonable, improper, illegal and against their own rules and regulations consequently direct the first respondent to disburse the back wages to the petitioner from the date of his removal from service till the date of petitioner's superannuation with all other consequential monetary, terminal and other service benefits payable to the petitioner with pension benefits for which the petitioner is entitled for along with arrears as per the time frame fixed by this Court.

For Petitioner : Mr.C.R.Malarvannan
For Respondents: Mr.Karthikeyan,
Government Advocate

ORDER

According to the petitioner, the petitioner has earlier filed a writ petition before this Court in W.P.No.21213 of 2012 praying to issue a Writ of Mandamus directing the authorities to

grant arrears of salary and other benefits and the said writ petition was dismissed on merits on 20.08.2013 on the ground that the order passed by the first respondent removing the petitioner from service has become final. No liberty has been granted to the petitioner for filing a fresh writ petition challenging the dismissal order.

2.Today, when this writ petition was taken up, the learned counsel for the petitioner sought the permission of this Court to withdraw the writ petition with liberty to file a review application or an appeal against the order passed by the learned single Judge in W.P.No.21213 of 2012 . An endorsement has also been made to that effect.

3.In view of the above, the writ petition is dismissed as withdrawn with liberty to the petitioner to seek his remedy before the concerned Court. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

KM

To

- 1.The District Collector,
District Collector's Office
Dharmapuri District.
- 2.The District Educational Officer,
Dharmapuri District.
- 3.The Assistant Elementary Educational Officer,
Pappireddipatti,
Dharmapuri District.

+1cc to Mr.C.R.Malavannan, Advocate, S.R.No. 18159
+1cc to the Government Pleader, S.R.No.18237

W.P.No.21458 of 2014
and
M.P.No.1 of 2014

EV (CO)
GN(23/03/2019)