



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVANW.P(MD) No.7869 of 2019

N.Subbiah

... Petitioner

vs.

1.The State rep.by the Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam, Chennai.

3.The District Collector,
Tirunelveli District,
Tirunelveli.

4.The Assistant Director of Town Panchayat,
Collectorate Office,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondents resulting in the 2nd respondent's impugned order dated 06/05/2010 passed in Rc.No.3261/1998/A5 and quash the same and direct the respondents to pass an appropriate order permitting the petitioner to retire from service and consequently to pay all the retirement benefits including back wages, attended and monetary benefits and all other benefits, the petitioner is entitled to receive.

For Petitioner :Mr.V.R.Venkatesan

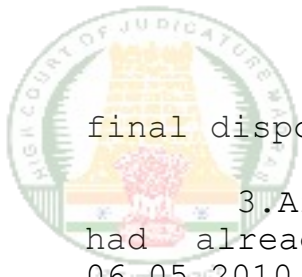
For Respondents:Mrs.J.Padmavathy Devi

Special Government Pleader

ORDER

This writ petition has been filed seeking to quash the impugned order of the second respondent dated 06.05.2010. Further, consequential directions have also been sought for by the petitioner to the respondents to permit him to retire from service and to pay all retirement benefits including back wages, attended and monetary benefits etc.,

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents. By consent, the writ petition itself is taken up for



final disposal at the stage of admission.

3. After advancing some arguments, realising that this Court had already passed orders against the impugned order dated 06.05.2010 in WP(MD)No.11541 of 2010 dated 17.09.2010, the learned counsel appearing for the petitioner fairly submitted that he confines the prayer made in this writ petition to the extent of seeking a direction to the respondents for consideration of the petitioner's representation dated 13.12.2018. He has also made endorsement to that effect.

4. The learned Special Government Pleader appearing for the respondents has no serious objection for granting such relief.

5. In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 13.12.2018, taking into account the judgment rendered by this Court in Crl.A(MD)Nos.43 and 56 of 2010, dated 09.03.2018 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai - 600 009.

2. The Director of Town Panchayat,
Kuralagam, Chennai.

3. The District Collector,
Tirunelveli District,
Tirunelveli.

4. The Assistant Director of Town Panchayat,
Collectorate Office, Tirunelveli.



+1cc to Mr.V.R.Venkatesan,Advocate, SR.No.58518
+1cc to Special Government Pleader, SR.No.53261

W.P (MD) No.7869 of 2019
03.04.2019

SP/27.04.2019/ 3P/7C

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