



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN****WP(MD)No.16367 and 16368 of 2015**

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A.Mohan ... Petitioner in WP(MD)No.16367 of 2015

S.Sudalaiyandi ... Petitioner in WP(MD)No.16368 of 2015

Vs.

The District Collector,
Kanyakumari District
at Nagercoil. ...1st respondent in both WPs

The President,
Senmbakaraman Pudur,
Village Panchayat,
Senmbakaraman Pudur,
Kanyakumari District. ...2nd Respondent in WP(MD)No.16367 of 2015

The President,
Arumanallur,
Village Panchayath,
Arumanallur Post,
Thovalai Taluk,
Kanyakumari District. ..2nd Respondent in WP(MD)No.16368 of 2015

PRAYER in WP(MD)No.16367 of 2015: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to pay the wages to the petitioner based on the appointment order dated 30.04.1997 of the petitioner, issued by the 2nd respondent.

PRAYER in WP(MD)No.16368 of 2015: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to pay the wages to the petitioner based on the appointment order dated 01.02.1998 of the petitioner, issued by the 2nd respondent.

For Petitioner : Mr.D.Anbarasu
For Respondents : Mr.V.Anand,
Government Advocate
in both WPs

**COMMON ORDER**

These writ petitions have been filed for a direction to the respondents to grant the petitioners' salary on the basis of the appointment orders issued to them.

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2.The learned Counsel for the petitioner submitted that the issue here, is squarely covered by the order of this Court made on 02.08.2002, in WPNo.10437 of 2002, against which writ appeal was filed, which came to be dismissed. Subsequently SLP was filed and the same was also withdrawn. Hence, the issue attained finality with the order dated 02.08.2002, and the petitioners are entitled for such relief in these writ petitions also.

3.The learned Government Advocate has no serious objection to the above submission.

4.Under such facts and circumstances, this Court, directs the 2nd respondent to consider the claim of the petitioners and pay the salary to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

5.These writ petitions are disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

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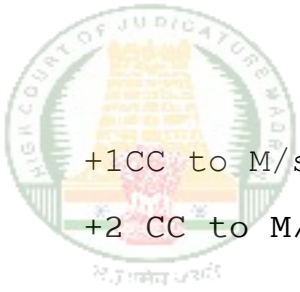
Sub Assistant Registrar(CS)

To

1.The District Collector,
Kanyakumari District
at Nagercoil.

2.The President,
Senmbakaraman Pudur,
Village Panchayat,
Senmbakaraman Pudur,
Kanyakumari District.

3.The President,
Arumanallur,
Village Panchayath,
Arumanallur Post,
Thovalai Taluk,
Kanyakumari District



+1CC to M/s.SPL GP(SR-52296[F]dated07/03/2019)

+2 CC to M/s.D.ANBARASU, Advocate
(SR-52375,52376[F] dated 07/03/2019)

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**WP (MD) No.16367 and
16368 of 2015
05.03.2019**

ES/DS/25.04.2019/3P/7C