



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Seventh day of August Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mr Justice SENTHILKUMAR RAMAMOORTHY

CMP(MD)Nos.6984 to 6991 of 2019
in

WA(MD)SR.Nos.22420,22424, 22428, 22432, 22440, 22436, 22445 and
22449 of 2019

1 THE STATE OF TAMILNADU,
REP.BY ITS SECRETARY, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.

2 THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.

3 THE TAHSILDAR,
SIVAGIRI TALUK OFFICE, NOW KADAYANALLUR
TALUK OFFICE, TIRUNELVELI DISTRICT.

... PETITIONERS/APPELLANTS IN
CMP(MD)NO.6984 OF 2019

1 THE STATE OF TAMILNADU,
REP.BY ITS SECRETARY, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.

2.THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.

3. THE TAHSILDAR,
SIVAGIRI TALUK OFFICE, NOW KADAYANALLUR
TALUK OFFICE, TIRUNELVELI DISTRICT.

...PETITIONERS/APPELLANTS IN
CMP(MD). 6985/ 2019

1. THE STATE OF TAMILNADU,
REP.BY ITS SECRETARY,, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.

2. THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.



3. THE TAHSILDAR,
AMBASAMUTHRAM TALUK OFFICE,
TIRUNELVELI DISTRICT. ... PETITIONERS/APPELLANTS IN
CMP(MD). 6986/ 2019

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1. THE STATE OF TAMIL NADU,
REP BY ITS SECRETARY,, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.
2. THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.
3. THE TAHSILDAR,
AMBASAMUTHRAM TALUK OFFICE,
TIRUNELVELI DISTRICT. ... PETITIONERS/APPELLANTS IN
CMP(MD). 6987/ 2019
1. THE STATE OF TAMILNADU,
REP.BY ITS SECRETARY,, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.
2. THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT.
3. THE TAHSILDAR,
AMBASAMUTHRAM TALUJK OFFICE,
TIRUNELVELI DISTRICT. ... PETITIONERS/APPELLANTS IN
CMP(MD). 6988/ 2019
1. THE STATE OF TAMIL NADU,
REP. BY ITS SECRETARY, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.
2. THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT.
3. THE TAHSILDAR,
AMBASAMUTHRAM TALUJK OFFICE,
TIRUNELVELI DISTRICT. ... PETITIONERS/APPELLANTS IN
CMP(MD). 6989/ 2019
1. THE STATE OF TAMIL NADU
DEPARTMENT OF REVENUE, ST.GEORGE FORT, CHENNAI.
2. THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT.



3. THE TAHSILDAR,
AMBASAMUTHRAM TALUJK OFFICE,
TIRUNELVELI DISTRICT. ... PETITIONERS/APPELLANTS IN
CMP(MD). 6990/ 2019

1. THE STATE OF TAMIL NADU,
REP.BY ITS SECRETARY, DEPARTMENT OF REVENUE,
ST.GEORGE FORT, CHENNAI.

2. THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT.

3. THE TAHSILDAR,
AMBASAMUTHRAM TALUJK OFFICE, TIRUNELVELI DISTRICT.
... PETITIONERS/APPELLANTS IN
CMP(MD). 6991/ 2019

VS

1 K.KARUTHAPANDI, ... RESPONDENT/RESPONDENT

2 THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6984/ 2019

1. V.SHANMUGAIAH ... RESPONDENT/RESPONDENT

2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6985/ 2019

1. V.SUDALAIMUTHU ... RESPONDENT/RESPONDENT

2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6986/ 2019

1. M.SHANMUGAIAH ... RESPONDENT/RESPONDENT

2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6987/ 2019



1. E.SHANMUGAIAH ... RESPONDENT/RESPONDENT
2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6988/ 2019
1. M.VELPANDIAN ... RESPONDENT/RESPONDENT
2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6989/ 2019
1. V.MEENAKSHISUNDARAM ... RESPONDENT/RESPONDENT
2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6990/ 2019
1. P.PATTATHEVAR ... RESPONDENT/RESPONDENT
2. THE PRINCIPAL ACCOUNTANT,
GENERAL (A AND E) PENSION, 391, ANNA SALAI,
CHENNAI. ... 2nd RESPONDENT/1st RESPONDENT IN
CMP(MD). 6991/ 2019

Prayer in CMP(MD)No.6984 of 2019:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13660 of 2018 dated 10.07.2018.

Prayer in CMP(MD) . 6985/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13686 of 2018 dated 10.07.2018.

Prayer in CMP(MD) . 6986/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13664 of 2018 dated 10.07.2018.

Prayer in CMP(MD) . 6987/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13666 of 2018 dated 10.07.2018.

<https://hcservices.ecourts.gov.in/hcservices/>



Prayer in CMP(MD) . 6988/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13677 of 2018 dated 10.07.2018.

Prayer in CMP(MD) . 6989/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13672 of 2018 dated 10.07.2018.

Prayer in CMP(MD) . 6990/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13679 of 2018 dated 10.07.2018.

Prayer in CMP(MD) . 6991/ 2019 :

To Condone the delay of 312 days in filing the above Writ Appeal as against the order in W.P.(MD)No.13680 of 2018 dated 10.07.2018.

Prayer in WA(MD)SR22420 of 2019:

to set aside the order dated 10.07.2018 made in WP(MD)No.13660 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13660/ 2018 :

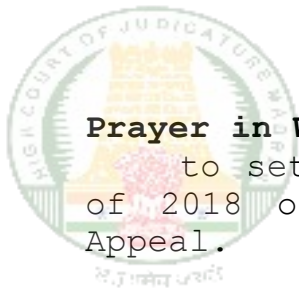
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 27.03.1976 to 01.06.1995.

Prayer in WA(MD)SR22424 of 2019:

to set aside the order dated 10.07.2018 made in WP(MD)No.13686 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13686/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 01.07.1987 to 01.06.1995.



Prayer in WA(MD)SR22428 of 2019:

to set aside the order dated 10.07.2018 made in WP(MD)No.13664 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13664/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 22.07.1985 to 01.06.1995.

Prayer in WA(MD)SR22432 of 2019:

To set aside the order dated 10.07.2018 made in WP(MD)No.13666 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13666/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 21.01.1992 to 01.06.1995.

Prayer in WA(MD)SR22440 of 2019:

To set aside the order dated 10.07.2018 made in WP(MD)No.13677 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13677/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 30.03.1976 to 01.06.1995.

Prayer in WA(MD)SR22436 of 2019:

To set aside the order dated 10.07.2018 made in WP(MD)No.13672 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13672/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 23.02.1976 to 01.06.1995.



Prayer in WA(MD)SR22445 of 2019:

To set aside the order dated 10.07.2018 made in WP(MD)No.13679 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13679/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 17.07.1984 to 01.06.1995.

Prayer in WA(MD)SR22449 of 2019:

To set aside the order dated 10.07.2018 made in WP(MD)No.13680 of 2018 on the file of this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD) . 13680/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 2 to 4 to sent revise Pension Proposal to the 1st Respondent calculating half of the services put in by the Petitioner as Village Assistant from 06.07.1979 to 01.06.1995.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. V.R.SHANMUGANATHAN, SPECIAL GOVERNMENT PLEADER, Advocate for the petitioners in all the cases and of Mr.T.S.MOHAMED MOHIDEEN, on behalf of the 1st Respondent in all the cases, the court made the following order:-

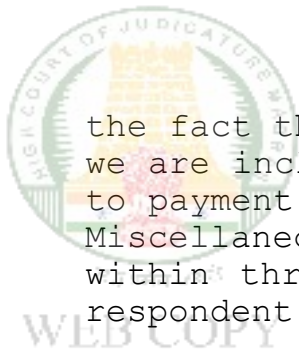
[Order of the Court was made by K.RAVICHANDRABAABU, J.]

These Civil Miscellaneous Petitions are filed seeking to condone the delay of 312 days in filing the above writ appeals arising out of the order passed in each writ petition.

2.Heard the learned Special Government Pleader appearing for the petitioners/appellants and the learned counsels appearing for the respondent.

3.Perusal of the affidavit filed in support of the Miscellaneous Petitions would show that the delay had occurred due to misplacing of the file at the office of the appellants.

4.Considering the fact that the delay is more than 300 days and the reason stated is also not so convincing and however, considering



the fact that similar matters are already pending before this court, we are inclined to allow these Civil Miscellaneous Petitions subject to payment of Rs.750/- as cost to the each first respondent in these Miscellaneous Petitions. Such amount shall be paid by the appellants within three weeks from today through the counsel, to each first respondent.

5. Accordingly, these Civil Miscellaneous Petitions are ordered. Post the main writ appeals along with connected writ petitions in W.P. (MD) SR.No.13671 of 2018 etc., batch.

sd/-

07/08/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SECRETARY, STATE OF TAMIL NADU, DEPARTMENT OF REVENUE, ST.GEORGE FORT, CHENNAI.
- 2 THE DISTRICT COLLECTOR, TIRUNELVELI DISTRICT, TIRUNELVELI.
- 3 THE TAHSILDAR, SIVAGIRI TALUK OFFICE, NOW KADAYANALLUR TALUK OFFICE, TIRUNELVELI DISTRICT.
- 4 THE TAHSILDAR, AMBASAMUTHRAM TALUK OFFICE, TIRUNELVELI DISTRICT.

+1. C.C. to Mr.T.S.Mohamed Mohidheen, Advocate SR.No.13026

ORDER

IN

CMP(MD) Nos.6984 to 6991 of 2019

in

WA (MD) SR.Nos.22420,22424,22428,22432,
22440,22436,22445 and 22449 of 2019

Date :07/08/2019

AM/JC/SAR-4/20.08.2019/8P-6C