

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2020

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.NO.13452 OF 2007

AND

M.P.NOS.1 AND 2 OF 2007

Tamilnadu Government Collegiate Teachers Association
(TNGCTA) Rep. by its General Secretary
K.G.Palani, GCTA Office,
Prof. Narasingham Nilayam
Old No.30, New No.2, Sydoji Street,
Triplicane, Chennai-5.

.... Petitioner

-Vs-

1. Chief Commissioner of Income Tax
Chennai-34.
2. Director of Collegiate Education
Chennai-6.
3. Joint Director of Collegiate Education
Madurai Region, Madurai.
4. Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli.
5. Joint Director of Collegiate Education
Trichy Region, Trichy.
6. Joint Director of Collegiate Education,
Coimbatore Region, Coimbatore.
7. Joint Director of Collegiate Education,
Chennai Region, Chennai.
8. Joint Director of Collegiate Education,
Vellore Region, Vellore.
9. Pay and Account Officer, Chennai-35.
10. Pay and Account Officer, North-Madras.

11. Assistant Treasury Officer
Karur.
12. Union of India represented by Secretary,
Ministry of Finance, Shastri Bhavan,
New Delhi.
(R12 impleaded as per order dated 25.04.2007
by KCJ in M.P.No.3/2007 in W.P.No.13452/07)

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for records pertaining to proceedings in C.C.No.818/PR/ CLAFL.2005-06 dt.22.03.2006 issued by the first respondent and quash the same and direct the respondents 3 to 7 to pay the terminal benefits for the retiring employees without deducting tax on encashment of leave on private affairs.

For Petitioner : Mr.M.Saravanan
For Respondents : Mr.K.Magesh
1 to 11 Special Government Pleader

O R D E R

This Writ Petition has been filed challenging the proceedings in C.C.No.818/PR/CLAFL.2005-06 dt.22.03.2006 issued by the first respondent and quash the same and direct the respondents 3 to 7 to pay the terminal benefits for the retiring employees without deducting tax on encashment of leave on private affairs.

2. There is no representation on behalf of the petitioner. The learned Special Government Pleader appearing for the respondent would submit that after filing of the writ petition, no stay was granted and subsequently the terminal benefits were deducted as Income Tax. Therefore nothing survives for adjudication in this Writ Petition.

3. In view of the same, this Writ Petition stands dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

arr

To

1. Chief Commissioner of Income Tax
Chennai-34.
2. Director of Collegiate Education
Chennai-6.
3. Joint Director of Collegiate Education
Madurai Region, Madurai.
4. Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli.
5. Joint Director of Collegiate Education
Trichy Region, Trichy.
6. Joint Director of Collegiate Education,
Coimbatore Region, Coimbatore.
7. Joint Director of Collegiate Education,
Chennai Region, Chennai.
8. Joint Director of Collegiate Education,
Vellore Region, Vellore.
9. Pay and Account Officer, Chennai-35.
10. Pay and Account Officer, North-Madras.
11. Assistant Treasury Officer
Karur.
12. The Secretary,
Union of India,
Ministry of Finance, Shastri Bhavan,
New Delhi.

+1cc to the Government Pleader, S.R.No.35446

VGII(CO)
CS/10/12/2020

W.P.No.13452 of 2007

WEB COPY