



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

and

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.A(MD)Nos.906 & 907 of 2010

and

M.P(MD)Nos.2 and 3 of 2010

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government
Department of Adi Dravidar and
Tribal Welfare,
Secretariat, Fort St.George,
Chennai.

2.The Director,
Department of Adi Dravidar Welfare,
Chepauk,
Chennai.

3.The District Adi Dravidar and
Tribal Welfare Officer,
District Adi Dravidar and
Tribal Welfare Office,
Karur District.

... Appellants/Respondents
in W.As.

Vs.

1.M.Kannammal ... Respondent/Petitioner in W.A(MD)No.906/2010
2.K.M.Thangavel ... Respondent / Petitioner in W.A(MD)No.907/2010

COMMON PRAYER:

The Writ Appeals filed under Clause 15 of the Letters Patent Act, against the order passed by this Court in W.P(MD)No.11346 of 2008 and W.P(MD)No.11347 of 2008 respectively dated 10.03.2010.

Prayer in WP(MD) . 11346/2008 and WP(MD) . 11347/2008 :

Writ Petitions are filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 3rd respondent in his proceedings Na.Ka.L2/30376/2006 dated 29/08/2007 served on 26/11/2008 and quash the same as illegal and consequentially to direct the respondents to regularize the service of the petitioner as Servant -cum- Watchman with effect from his date of joining on 01/11/1977 within the period that may be stipulated by this Honourable Court.



For Appellants : Mr.S.P.Maharajan,
(in both WAs) Spl.Govt.Pleader
For Respondent : No Appearance

COMMON JUDGMENT

S.VAIDYANATHAN, J.

and

DR.G. JAYACHANDRAN, J.

The Writ Appeals have been filed against the order passed by this Court in W.P(MD)No.11346 of 2008 and W.P(MD)No.11347 of 2008 respectively dated 10.03.2010.

2. This Writ Appeals have been filed by the State being aggrieved by the order of the Learned Single Judge, directing the State to regularize the appointment of the respondents / writ petitioners, from the date of appointment and not from the date of passing of G.O.Ms.No.367, Social Welfare Department, dated 08.03.1988. The respondents therein were contingent staff working in Adi Dravidar and Tribal Welfare Department, and the Writ Petitions, seeking regularization from the date of appointment relying upon earlier G.O.Ms.No.111, Adi Dravidar and Tribal Welfare (ADW IV) Department, dated 17.09.1996 was favourably considered by this Court.

3. Today, Mr.S.P.Maharajan, the learned Special Government Pleader appearing for the appellants submitted that the writ petitioners, who are the respondents herein, passed away and there is no legal heirs for them to continue the litigation.

4. In the light of the above facts, the writ appeals are dismissed as abated, without adverting to the merits of the appeals. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK



TO

1.The Principal Secretary to Government,
State of Tamil Nadu,
Department of Adi Dravidar and Tribal Welfare,
Secretariat, Fort St.George,
Chennai.

2.The Director,
Department of Adi Dravidar Welfare,
Chepauk,
Chennai.

3.The District Adi Dravidar and
Tribal Welfare Officer,
District Adi Dravidar and
Tribal Welfare Office,
Karur District.

+1 CC to M/s.SPL GP (SR-35201[F] dated 19/11/2021)

W.A(MD)Nos.906 & 907 of 2010

18.11.2021

RS (01.12.2021) 3P 5C