



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)No.224 of 2011

Daniel Jayasingh Masilamani

... Appellant/Petitioner

Vs.

1.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli - 627 006.

2.The Assistant Elementary Educational Officer,
Palayamkottai (Urban),
Perumalpuram, Tirunelveli - 627 007.

3.The Treasury Officer,
District Treasury Office,
Tirunelveli - 627 009.

4.Senior Accounts Officer,
Principal Accounts General (A & E) Office,
Anna Salai,
Chennai - 600 018.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order, dated 24.11.2010 made in W.P(MD)No.6093 of 2006 on the file of this Court.

Prayer in WP(MD). 6093/ 2006 : Writ Petition is 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 proceedings in Rc.No. 10/49/AA5/2005 dated /12/2005/5.1.2006 passed by the 1st respondent and to quash the same and direct the respondents to fix the pension, by treating the petitioner as one entitled to the benefits under G.O.Ms.No. 200 Finance (pay cell) Department dated 18/05/1999 with all the arrears within the time frame as may be fixed by this Honourable court.

For Appellant : Ms.P.Jessi Jeeva Priya

For Respondents : Mrs.S.Srimathy
for 1 to 3 Special Government Pleader

For Respondent 4 : Mr.P.Gunasekaran



JUDGMENT

(Judgment of the Court was delivered by PUSHPA SATHYANARAYANA, J.)

The learned counsel appearing for the appellant would submit that the sole appellant died and the legal heirs are not brought on record to prosecute the case further. Hence, the learned counsel requested this Court to dismiss the appeal as abated. Accordingly, the Writ Appeal is dismissed as abated. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PS

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli - 627 006.
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Palayamkottai (Urban),
Perumalpuram, Tirunelveli - 627 007.
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- 4.The Senior Accounts Officer,
Principal Accounts General (A & E) Office,
Anna Salai, Chennai - 600 018.

+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-8669[F] dated 04/03/2021)
+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-8769[F] dated 04/03/2021)

Order made in
W.A(MD)No.224 of 2011
03.03.2021

SRK(CO)

SRS (15/03/2021) 2P : 7C

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