



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A. (MD)No.383 of 2018

and

C.M.P. (MD)No.2391 of 2018

against

WP (MD)No.12014 of 2012

- 1.The Secretary to Government,
Education Department,
Fort St. George,
Chennai - 9.
- 2.The Director of School Education,
Chennai - 600 006.
- 3.The District Educational Officer,
Tuticorin, Tuticorin District.
- 4.The Headmaster,
SMA Government Higher Secondary School,
Sirtuthondanallur, Tuticorin District. .. Appellants/Respondents

Vs.

M.Arumugam

... Respondent/Petitioner

Prayer : Appeal filed under Clause 15 of the Letters Patent Act against the order passed by this Court in W.P.(MD)No.12014 of 2012, dated 11.09.2012.

Prayer in WP(MD). 12014/ 2012 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the second and third Respondents to appoint the Petitioner as Sweeper in the regular time scale of pay in the third Respondent office.

For Appellants

: Mrs.S.Srimathy
Special Government Pleader

For Respondent

: Mr.R.Devaraj



J U D G M E N T

(Judgment of the Court was delivered by M.M.SUNDRESH, J)

The order was passed by the learned Single Judge way back in the year 2012. Till now, no step has been taken to bring on record the legal representatives of the deceased respondent. The matter has been adjourned on quite a few occasions.

2.In such view of the matter, this Writ Appeal stands dismissed for failure to bring on record the legal representatives of the deceased respondent, as no order could be passed against the dead person. However, liberty is given to the appellants to restore the appeal after adding the legal representatives of the deceased respondent. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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 Secretary to Government,
Education Department,
Fort St. George,
Chennai - 9.

2.The Director of School Education,
Chennai - 600 006.

3.The District Educational Officer,
Tuticorin, Tuticorin District.

+1 CC to M/s.GP (SR-2002[F] dated 25/01/2021)

W.A. (MD) No.383 of 2018

22.01.2021

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PK(CO)

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