



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.11.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.4487 of 2018

S.Perumal

...Petitioner

/Vs./

1.The District Collector,
Sivagangai District.

2.The Block Development Officer,
Kallal Panchayat Union,
Sivagangai District.

3.The Special Officer,
Patharakudi Panchayat,
Kallal Panchayat Union,
Sivagangai District.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to permit the petitioner to attend his duty as over head tank operator in the 3rd respondent Panchayat and consequently direct the respondents to pay the arrears of salary from July 2017 and the additional amount for operating 4 additional over head tanks as per G.O.Ms.No.71 dated 07.08.2012 to the petitioner from the date of Government Order.

For Petitioner	: Mr.M.Gnanagurunathan
For R1 & R2	: Mr.K.S.Selvaganesan
	Standing Counsel for State
For R3	: Mr.A.Thiyagarajan

ORDER

The petitioner has prayed for a mandamus directing the third respondent to permit him to attend duty as an Overhead Tank Operator in Patharakudi Panchayat, R3 and to pay arrears of salary from July 2017 as well as additional amounts claimed in accordance with G.O.Ms.No.71, dated 07.08.2021.

2.As far as the first limb of the prayer is concerned, wherein the petitioner alleges that R3 was standing in the way of him attending his duty, there is nothing to substantiate this allegation. The representation filed by the petitioner before the first respondent also does not make any such allegation. Thus, this limb of the prayer is rejected.



3.As far as the second limb, being the payment of arrears of salary and the additional amounts as per G.O.Ms.No.71, dated 07.08.2021 is concerned, learned counsel for R2 would confirm that some amounts have indeed been paid to the petitioner, which, the petitioner would dispute.

4.Thus, to obtain finality on this issue, there is a direction to R3 to hear the petitioner and pass speaking order on the representation dated 11.09.2017, within a period of four weeks from the date of uploading of this order in the official website of this Court.

5.This Writ Petition is disposed as above. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Collector,
Sivagangai District.

2.The Block Development Officer,
Kallal Panchayat Union, Sivagangai District.

3.The Special Officer,
Patharakudi Panchayat,
Kallal Panchayat Union,
Sivagangai District.

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate (SR-33974[F] dated 10/11/2021)

+1 CC to M/s.SPL.GP (SR-33948[F] dated 10/11/2021)

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