



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.14102 of 2014
and
M.P.No.1 of 2014

N.Antony

... Petitioner

Vs.

1. The Director,
Directorate of Public Health and
Preventive Medicine,
D.M.S.Buildings, Chennai - 600 006.

2. The Deputy Director,
Institute of Public Health,
Poonamallee, Chennai - 600 056.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order bearing No.Ma.Mu.No.7357/PTho2/E3/14 dated 23.04.2014 on the file of the first respondent, to quash the same and consequently, permit the petitioner to continue with his service till 31.05.2016 with the second respondent.

For Petitioner : Mr.S.Subhamohan
for Mr.S.Siva Shanmugam

For Respondents: Ms.R.L.Karthika
Government Advocate

O R D E R

The order impugned dated 23.04.2014 states that the retirement age of the writ petitioner is 58 years. Accordingly, the writ petitioner was allowed to retire from service on attaining the age of 58 years and all his retiral benefits were settled.

2. The claim of the writ petitioner is that he was holding the post of vehicle cleaner and therefore, his age of retirement



is 60 years. However, the petitioner was not allowed to continue beyond the age of 58 years and he was allowed to retire from service and all the retirement benefits were settled. Now, eight years have lapsed. Admittedly, the petitioner had served till he attains the age of 58 years. Thus, the petitioner is not entitled to the relief as such sought for in the present writ petition.

3. Presuming that the writ petitioner is eligible to serve up to the age of 60 years, now after lapse of eight years, the principle "No work, No pay" would apply. The petitioner is not eligible to claim salary for the period, which he has not served and therefore, the relief as such sought for in the present writ petition deserves no further consideration.

Accordingly, this Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Director,
Directorate of Public Health and
Preventive Medicine,
D.M.S.Buildings, Chennai - 600 006.
2. The Deputy Director,
Institute of Public Health,
Poonamallee, Chennai - 600 056.

+1cc to the Government Pleader, S.R.No.35334

Writ Petition No.14102 of 2014

MG(CO)
CT/28/06/2022