



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2022

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.10107 of 2018

K.Dennis

... Petitioner

vs.

- 1.The Accountant General,
(Accounts & Entitlement),
Tamil Nadu Office,
No.361, Anna Salai, Chennai 18.
- 2.The Chief Engineer /Distribution,
Erode Region,
No.948, E.V.N.Road,
Erode 638 009.
- 3.The Additional Chief Engineer,
Gopichettipalayam Electricity
Distribution Circle,
T.N.E.B., Gopichettipalayam,
Erode District.
- 4.The Superintending Engineer,
Gopichettipalayam Electricity
Distribution Circle,
T.N.E.B., Gopichettipalayam,
Erode District.
- 5.The Assistant Executive Engineer,
Operation & Maintenance,
T.N.E.B., Nambiyur,
Gopichettipalayam Electricity
Distribution Circle,
Erode District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 17.11.2017 and grant pensionary benefits to him in the light of the Division Bench order passed in "D.Vijayarangan vs. Secretary, Sales Tax Appellate Tribunal, Madurai and others reported in (2009) 3 MLJ 1005'.

<https://hcservices.ecourts.gov.in/hcservices/>



For Petitioner : Mr.B.Vinothkumar
For R1 : Mr.P.Gunasekaran
For R2 to R5 : No appearance

O R D E R

The following order was passed on 04.01.2022:-

Petitioner is called absent. That apart Mr.Gunasekaran, learned counsel who appears for R1 would point out that the decision relied upon by the petitioner in *D.Vijayarangan vs. Secretary, Sales Tax Appellate Tribunal, Madurai & others [(2009) 3 MLJ 1005]* has been reversed in *A.I.Agnel Ilangovan vs. The Government of Tamil Nadu, represented by its Secretary to Government, Finance (LF Department), Secretariat, Chennai and others [(2016) 3 MLJ 839]*.

2. Print the name of respondents 2 to 5 or panel counsel if memo is filed. List this matter for dismissal on 11.01.2022.

2. The matter has been listed today to afford opportunity to the petitioner and his attention has been drawn to the order of this Court in *D.Vijayarangan vs. Secretary, Sales Tax Appellate Tribunal, Madurai & others [(2009) 3 MLJ 1005]* that militates against the claim of the petitioner.

3. Mr.P.Gunasekaran, learned counsel appears for the first respondent and despite the description of R2 to R5 being printed in the cause list, there is no appearance by, or on their behalf.

4. In view of the aforesaid decision, the Mandamus, as sought for by the petitioner, is not liable to be granted and this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv

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

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W.P. (MD) No.10107 of 2018
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TR(03.02.2022) 3P 6C