



Writ Petition No.14335 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Writ Petition No.14335 of 2015

B.Veerasamy

..Petitioner

VS.

1.The Management,
Tamil Nadu Agricultural University,
Horticultural Research Station,
Ondigaduvu Post,
Yercaud.

2.The Presiding Officer,
Labour Court,
Salem.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records connected with the orders passed by the second respondent in CP No.111 of 1997 dated 30.10.2003 and quash the same in so far as it has not allowed the claim of the petitioner for the period preceding to 01.05.1995 amounting to Rs.2,49,262/- based on the orders of the conferment of status authority and further direct the first respondent to sanction the monetary claim of arrears of salary of Rs.2,49,262/- for the period from 26.10.1981, the date on which the petitioner was conferred with permanent status to 30.04.1995.



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For Petitioner : No appearance

For Respondents : Mr.M.Vijayameganath for R1

ORDER

This Writ Petition has been filed, seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the orders passed by the second respondent in CP No.111 of 1997 dated 30.10.2003, quash the same and consequently, to allow the petitioner's claim to sanction the arrears of salary of Rs.2,49,262/- for the period from 26.10.1981, the date on which the petitioner was conferred with permanent status till 30.04.1995.

2. When this Writ Petition is taken up for hearing, there is no representation on behalf of the petitioner.

3. The learned counsel for the first respondent has submitted that the petitioner herein is no more and he has also filed a photocopy of the Death Certificate of the petitioner before this Court. It is further submitted that



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the first respondent Management has filed WP.No.10878 of 2004, challenging the same award and the said writ petition was disposed of on 28.06.2022 as Writ Petition became abated as the second respondent therein died after filing of the Writ Petition, leaving behind no legal heirs to be brought on record.

4. On earlier occasion, i.e. On 01.11.2023, when the matter was taken up for hearing, this Court has directed the Registry to list this matter along with W.P.No.10878 of 2004, after obtaining necessary orders from the Hon'ble The Chief Justice. As seen from the copy of the order filed by the learned counsel for the petitioner, it appears that the connected Writ Petition in W.P.No.10878 of 2004 has already been disposed of on 28.06.2022.

5. Considering the same, even the case on hand also, since the petitioner is no more, it appears that there were no legal heirs to be brought on record. Therefore, once the petitioner died and as there are no legal heirs to be brought on record, the Writ Petition requires to be dismissed. In case, if any legal heirs are there, they are at liberty to restore the Writ Petition by filing an appropriate application and proceed with the same.



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Dr.D. NAGARJUN, J

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6.With the above observation, this Writ Petition is dismissed. No costs.

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Index : Yes/No
Speaking order: Yes/No
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To

1.The Management,
Tamil Nadu Agricultural University,
Horticultural Research Station,
Ondigaduvu Post,
Yercaud.

2.The Presiding Officer,
Labour Court,
Salem.