



WEB COPY



W.P.No.20153 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr.D.NAGARJUN

W.P.No.20153 of 2013

and

M.P.No.3 of 2013

A.Subramani

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep.by Its Chief Secretary to Government,
Rural Development and Panchayat Department,
Fort St. George, Chennai.

2. The Collector,
Vellore District.

3. The Block Development Officer,
Arakkonam Panchayat Union,
Arakkonam.

4. The President,
Konalam Village Panchayat,
Arakkonam Taluk,
Vellore Dist.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the 1st respondent in G.O.Ms.No.17 Rural Development and Panchayat (E5) Department dated 10.2.2011 and consequential order of



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the 4th respondent dated 29.9.2012 so as to quash the said orders and directed the respondents to pay the petitioners salary

For Petitioner : Mr.G.Jeremiah

For Respondents : M/s.C.Sangamithirai, (for R1 & R2)
Special Government Pleader
: No Appearance for R4 and R5

ORDER

This writ petition is filed challenging the G.O.Ms.No.17 Rural Development and Panchayat (E5) Department dated 10.2.2011 and consequential order of the 4th respondent dated 29.9.2012 so as to quash the said orders and directed the respondents to pay the petitioners salary

2.According to the learned counsel for the petitioner, he was appointed as overhead Tank Operator in the 4th Respondent Panchayat in the year 1999 for a meager monthly salary and he had put in 14 years of unblemished service. However, on 29.09.2012, the 4th respondent terminated his service as per the G.O.Ms.No.17 dated 10.02.2011, and consequential order dated 29.09.2012 was passed placing the petitioner under superannuation.



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3. Learned counsel for the petitioner would firmly submit that this Court, in a batch of cases in W.P.Nos.7610 and 9018 of 2011, has upheld G.O.Ms.No.17, dated 10.02.2011. Since the issue has already been decided by this Court, no further inquiry can be done so far as the prayer of the petitioner is concerned. It is further submitted that the petitioner is no more.

4. Considering the above, due to the fact that the petitioner is no more, the retirement benefits, which the petitioner is supposed to get are required to be disbursed in favour of the legal heirs of the petitioner as quickly as possible, preferably, within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands **Disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

30.10.2023

To



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Dr.D.NAGARJUN. J.,

(sha)

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