



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.07.2023**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD)No.943 of 2014
and

M.P.(MD)No.1 of 2014 and C.M.P.(MD)No.5601 of 2016

- 1.The State of Tamilnadu,
represented by the Secretary to Government,
Education Department,
Fort St.George, Chennai – 600 009.
- 2.The Director of School Education,
College Road, Nungambakkam, Chennai – 600 006.
- 3.The Joint Director of School Education,
(Personnel),
Office of the Director of School Education,
College Road, Nungambakka, Chennai – 627 001.
- 4.The District Elementary Educational Officer,
Tirunelveli – 627 001.
- 5.The Assistant Elementary Educational Officer,
Melaneelithanallur-627 953,
Sankarankovil Taluk, Tirunelveli District. ... Appellants

Vs.



WEB COURT

O.Theetharappan

... Respondent

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 03.02.2014 passed by this Court in W.P(MD)No. 913 of 2010.

For Appellants	:Mr.V.Om Prakash Government Advocate
For Respondent	:Mr.P.Suresh for Mr.R.Pon Karthikeyan

JUDGMENT

(Judgment of the Court was delivered by **DR.ANITA SUMANTH, J.**)

Pending Writ Appeal, the respondent has passed away on 17.04.2017. However, since the Writ Appeal is filed seeking payment of amount recovered from DCRG, the cause of action would survive in the hands of the legal heirs as well.

2.Both learned Counsels state that, despite their best efforts, they have not been successful in ascertaining the details of the legal heirs of the deceased respondent.

2/4



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3.We do not see any reason in keeping the Writ Appeal of the year 2014 alive inordinately and dismiss the same.

4.Liberty is granted to both Mr.V.Om Prakash, learned Government Advocate for the appellants and Mr.P.Suresh, learned Counsel for the respondent to seek restoration of the Writ Appeal, if the details of the legal heirs are ascertainable. Liberty to be exercised within six months from today or not at all. No costs. Consequently, connected miscellaneous petitions are closed.

[A.S.M.J.] & [R.V.J.]
06.07.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes

cmr



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DR.ANITA SUMANTH, J.
AND
R.VIJAYAKUMAR, J.

cmr

W.A.(MD)No.943 of 2014

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