



WEB COPY



W.A.No.2154 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.2154 of 2024 and
C.M.P.No.15228 of 2024

1. The District Collector,
Thanjavur.
2. The Director of Town Panchayat,
Kuralagam, Chennai-600 108.
3. The Secretary to Government,
Municipal Administration & Water Supply (EP4) Department,
Fort St.George, Chennai-600 009. ... Appellants/Respondents

-VS-

K.Narayanan

... Respondent/Petitioner

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 04.07.2023 made in W.P.No.6415 of 2016 and allow this Writ Appeal.

For Appellants : Mr.Yashwanth
Addl. Govt. Pleader



W.A.No.21 of 2023

J U D G M E N T

(By Hon'ble Acting Chief Justice)

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This Writ Appeal has been filed, challenging the order dated 04.07.2023 of the learned Single, in and by which, the Writ Petition filed by the respondent herein was allowed with a direction to pay him all the benefits, which would have accrued on the date of his superannuation.

2. When the matter is taken up for hearing, learned Additional Government Pleader for the appellants has urged this Court with a short point that the respondent herein is going to retire only in the year 2026, whereas the order of the learned Single Judge proceeded on the pretext that the 1st respondent had already attained the age of superannuation and the said ground has also been raised in the instant Writ Appeal as one of the grounds of appeal to set aside the order of the learned Single Judge.

3. We are of the view that since there is a factual error in respect of the date of retirement of the respondent herein in the order of the learned Single Judge, the appellants, instead of filing this appeal, should have preferred a Review Application before the Writ Court itself to review the order of this Court.

4. Hence, this Writ Appeal is disposed of, granting liberty to the appellants



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to file a Review Application within a period of two weeks from the date of receipt of a copy of this judgment. Till such time, the Contempt Petition shall be deferred. No costs.

Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,ACJ.]

[K.B.,J.]

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Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order
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