



WEB COPY

W.P.No.15981 of 2015



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.15981 of 2015

and

M.P.Nos.1 to 4 of 2015

1. R.Palaniswamy (Deceased)

2. R.Maheswari

3. Mrs.Subbulakshmi

4. K.Ramasamy

... Petitioners

(P2 to P4 substituted as Legal Representatives of
the deceased sole petitioner vide order dated 21.10.2024)

Vs.

1. The Commissioner and Director,
Land Survey and Land Revenue Scheme,
Cheppaukkam, Chennai.

2. The Regional Deputy Director, Land Survey Records Department,
Coimbatore District. Coimbatore.

3. The Assistant Director, Land Survey Records Department,
Coimbatore District, Coimbatore.

4. The Special District Revenue Officer,
Airport Extension (Land Acquisition),
Coimbatore District, Coimbatore.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the proceedings of the third respondent in



WEB COPY

W.P.No.15981 o



Na.Ka.No.A8/3127/2013 dated 09.03.2015 and the subsequent order of termination in Na.Ka.A8/1938/2015 dated 08.05.2015 passed by him.

For Petitioner : Mr.K.Thilageswaran
For Respondents : Mr.P.Ganesan,
Additional Government Pleader
ORDER

This writ petition has been filed aggrieved by the proceedings bearing நக.அ8/3127/2013, dated 09.03.2015 and another proceedings bearing நக.அ8/1938/2015, dated 08.05.2015. Through the proceedings dated 09.03.2015, the regularization of the services of the petitioner in the post of 'Field Assistant' to 'Surveyor' was cancelled and through proceedings dated 08.05.2015, the services of the petitioner were terminated.

2. During the pendency of this writ petition, the first petitioner died and in view of the same, the petitioners 2 to 4, who are the wife and children of the original petitioner, are brought on record being the legal representatives of the deceased first petitioner.

3. This court, while entertaining the writ petition, granted interim stay and by virtue of the interim stay granted by this court, the petitioner was reinstated into service on 31.07.2015 and, while continuing in service,



petitioner died on 20.06.2017.

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4. Today, when the matter is taken up for consideration, it is brought to the notice of this court by Mr.P.Ganesan, learned Additional Government Pleader, that the impugned orders cannot be sustained, as the deceased petitioner is entitled for regularization of his services and his services were rightly regularized by issuing the proceedings bearing நக.அ5/7768/2008 dated 22.05.2012.

5. In the light of the above, the impugned orders cannot be sustained and accordingly, the impugned orders bearing நக.அ8/3127/2013, dated 09.03.2015, and நக.அ8/1938/2015, Dated 08.05.2015, are hereby quashed and the respondents are directed to pass appropriate consequential orders taking into consideration the fact that the petitioner died on 20.06.2017 and pay all terminal benefits for which the petitioner is otherwise entitled in accordance with law as expeditiously as possible at any rate within a period of two months from the date of receipt of a copy of this order. The petitioners 2 to 4 are also granted liberty to seek appropriate remedies in accordance with law,



in case if they have any further grievance in connection with the service rendered by the petitioner.

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MUMMINENI SUDHEER KUMAR, J.
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6. Accordingly, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions, if any, shall stand closed.

22.11.2024

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

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