



W.A.No.2084 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.A.No.2084 of 2021
and
CMP.No.13189 of 2021

The Executive Officer
Sembakkam Town Panchayat,
Kancheepuram District.
Presently,
Commissioner,
Sembakkam Municipality
Sembakkam.

... Appellant

Vs.

1. N.Lilli Vasanthakumari
2. The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai-9.
3. The Director of Special Town Panchayat,
Kuralagam,
Chennai-600 108.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 12.04.2019 made in W.P.No.9129 of 2013.



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For Appellant : Mr.P.Srinivas

For Respondents : Mr.M.Vijayakumar for R1
Mr.R.Neelakandan
Additional Advocate General
for R2 & R3

J U D G M E N T

[Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**]

The learned counsel appearing on behalf of the appellant-Sembakkam Town Panchayat Mr.P.Srinivas would submit that the issues raised in the Writ Appeal are no more *res integra*. The Full Bench of this Court considered the issues in Rev.Appl.(MD) No.87 of 2014 in WA(MD).No.729 of 2013 etc., and delivered the judgment on 30.05.2017. The said Full Bench judgment has taken by way of Appeal before the Hon'ble Supreme Court of India in SLP (C) No.21935 of 2017 and subjudiced. That being the factum, the respondent-Employees is entitled for the benefit if any granted by the Hon'ble Supreme Court of India in the pending SLP. In other words, the order to be passed by the Apex Court is to be extended to the respondents in the matter of granting service benefits.



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2. With the above observations, the Writ Appeal stands disposed of.

No costs. Consequently, connected CMP is also closed.

[S.M.S., J.] [C.K., J.]
10.06.2024

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Index : Yes

Speaking order : Yes

Neutral Citation : Yes/No

To

1. The Secretary to Government,
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