



WEB COPY

W.P.No.23717 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.23717 of 2015

and

M.P.No.1 of 2015

A.Subramanian

... Petitioner

Vs.

1. Government of Tamil Nadu,
Represented by the Principal Secretary to Government,
Home (Police.I) Department, Fort St. George,
Chennai – 600 009.
2. The Director General of Police,
Tamil Nadu, Mylapore,
Chennai – 600 004.
3. The Additional Director General of Police,
Armed Police, Kilpauk,
Chennai – 600 010.
4. The Commandant,
TSP II Battalion,
Avadi, Chennai – 600 054.
5. Thiru .K.Sampriyakumar
6. The Accountant General (A&E),
DMS Complex, Teynampet,
Chennai – 600 018.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to G.O.MS. No.374 Home(Police.I) Department dated 20.05.2014 issued by the first respondent herein namely the Government of Tamil Nadu represented by the Principal Secretary to Government, Home(Police.1) department, Fort.St.George, Chennai 600 009, and quash para 5 of the said G.O. in so far as it fixes the pay of the petitioner on notional basis in the post of Deputy Commandant with effect from 31.12.2009 i.e., the date of joining of his immediate junior in the said post as per ruling 17 under FR 27 and consequently direct the 1st to 4th respondent herein to fix the pay of the petitioner in the above said post on regular basis with monetary benefits payable to the petitioner from 31.12.2009 with attendant, service and monetary benefits payable from the said date namely 31.12.2009 and pay the arrears arising out of such regular fixation of pay within a short date that may be fixed by this Hon'ble court.

For Petitioner : Mr.K.S.Govinda Prasad

For Respondents : Mr.S.Arumugam,
Government Advocate

ORDER

On an earlier occasion, on 22.07.2024, it was brought to the notice of this court that the sole petitioner had died on 01.05.2020 and the matter had



been being adjourned from time to time for bringing the legal representatives of the deceased petitioner on record.

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2. Today, when the matter is taken up for consideration, it is brought to the notice of this court by learned counsel for the petitioner that he is not in a position to contact the legal representatives of the deceased petitioner. He also further brought to the notice of this court that there is a dispute between the first wife and second wife of the deceased petitioner for payment of terminal benefits and in connection with the same, W.P.No.8884 of 2020 came to be filed and the same was disposed of by this court by an order dated 10.11.2023. Thus, it is evident that the persons claiming to be the legal representatives of the deceased petitioner are agitating their rights and also approached this court in the year 2020.

3. In view of the same, in the absence of the said legal representatives being brought on record, the question of considering this writ petition on merits does not arise. Hence, the writ petition is closed as abated, leaving it open to the legal representatives of the deceased petitioner to file appropriate application, if they are so advised. No costs. Connected miscellaneous



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petitions, if any, shall stand closed.

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skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

skr

To

1. The Principal Secretary to Government of Tamil Nadu,
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Chennai – 600 009.
2. The Director General of Police,
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