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W.P.No.27443 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.27443 of 2012

1.G.Radhika
2.K.J.Poornaselvan
3.S.Letitia
4.V.Geetha ... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Higher Education Department,
Fort St.George,
Chennai – 9.
2.The Commissioner of Technical Education,
Guindy,
Chennai. ... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records in pursuant to G.O.Ms.No.167, Higher Education (G1) Department dated 06.08.2012 and quash the same, so far as the application of G.O.Ms.No.408, Finance (Pension) Department dated 25.08.2009 restricting the qualifying services to 50% for pension and the seniority, and consequently direct the respondents to grant all the service benefits, including pensionary benefits,

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seniority and monetary benefits from the date of regularization the of services of the petitioners.

For Petitioners 1, 2 & 4 : No Appearance

For Petitioner 3 : Mr.K.H.M.Afzal

For Respondents : Mr.C.Jaya Prakash,
Government Advocate

ORDER

This writ petition has been filed by the petitioner to call for the records in pursuant to G.O.Ms.No.167, Higher Education (G1) Department dated 06.08.2012 and quash the same, so far as the application of G.O.Ms.No.408, Finance (Pension) Department dated 25.08.2009 restricting the qualifying services to 50% for pension and the seniority, and consequently direct the respondents to grant all the service benefits, including pensionary benefits, seniority and monetary benefits from the date of regularization the of services of the petitioners.

2. When the matter was listed for hearing on earlier occasions i.e. on 07.03.2024 and 21.03.2024, none appeared on behalf of the petitioners 1, 2 & 4 and the learned counsel appearing for the third petitioner submitted that the



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third petitioner viz., S.Letitia is willing to withdraw the present writ petition.

Hence, this Court has directed the Registry to list the matter on 27.03.2024 under the caption "For Dismissal".

3. Today, when the matter was taken up for hearing, there was no representation for the petitioners 1,2 & 4. Thus, it is clear and evident that the petitioners 1,2 & 4 are not interested in prosecuting the case and this Court has no other option except to dismiss this Writ Petition for non-prosecution in regard to petitioners 1,2 & 4.

4. In regard to third petitioner viz., S.Lelitia, learned counsel appearing on her behalf seeks permission of this Court to withdraw the present writ petition and he has also made an endorsement to that effect in the case bundle.

5. In view of the above, this writ petition is dismissed for non-prosecution in regard to petitioners 1,2 & 4 and dismissed as withdrawn in regard to third petitioner. No costs.



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Index : Yes/No

Speaking Order : Yes/No

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J.SATHYA NARAYANA PRASAD,J.

vm

To:

- 1.The Secretary to Government,
Higher Education Department,
Fort St.George,
Chennai – 9.
- 2.The Commissioner of Technical Education,
Guindy,
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