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W.A.Nos.713, 715, 722 & 743 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.A.Nos.713, 715, 722 & 743 of 2021

[W.A.No.713 of 2021]

N.Rajagopal

... Appellant

Vs.

1. State Of Tamil Nadu,
Rep. By Its Secretary To Government,
Rural Development And Panchayat Raj Department,
Fort St.George, Chennai-9.

2. Director,
Commissionerate Of Rural Development And Panchayat Raj,
Panagal Building, Chennai-15.

3. District Collector,
Cuddalore District,
Cuddalore.

4. District Collector,
Villupuram District,
Villupuram.

... Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to allow the above Writ Appeal in the interest of justice and fair play by setting aside the order dated 18/11/2019 of this Hon'ble Court made in W.P.



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No.24389/2019 in so far as it rejects the claim for payment of interest on the national benefits payable to the Writ Petitioner.

[W.A.No.715 of 2021]

P.Punithavathi

... Appellant

Vs.

1. State Of Tamil Nadu,
Rep. by its Secretary To Government,
Rural Development And Panchayat Raj Department,
Fort St.George, Chennai -9.

2. Director,
Commissionerate Of Rural Development And Panchayat Raj,
Panagal Building, Chennai-15.

3. District Collector,
Thiruvanamalai District,
Thiruvanamalai.

... Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to allow the above Writ Appeal in the interest of justice and fair play by setting aside the order dated 18/11/2019 of this Hon'ble Court made in WP No. 24330/2019 in so far as it rejects the claim for payment of interest on the notional benefits payable to the husband of the Writ petitioner and consequently directing the respondents to pay interest on the notional benefits due to the appellant/Writ Petitioner herein.

[W.A.No.722 of 2021]



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1. B.Ashokan

2. R.Veeramani

3. B.Kannan

4. S.S.Rajan Babu

5. S.Ramalingam

6. R.Selvapathy

7. K.Kandasamy

... Appellants

Vs.

1. State Of Tamil Nadu,
Rep. by its Secretary to Government,
Rural Development And Panchayat Raj Department,
Fort St.George, Chennai-9.

2. Director,
Commissionerate Of Rural Development And Panchayat Raj,
Panagal Building, Chennai-15.

3. District Collector,
Thiruvanamalai District,
Thiruvanamalai.

... Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to allow the above Writ Appeal in the interest of justice and fair play by setting aside the order dated 18.11.2019 on this Hon'ble Court made in WP.No. 24376 of 2019 in so far as it rejects the claim for payment of interest on the notional benefits payable to the Writ Petitioners and consequently, directing



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the respondents to pay interest on the notional benefits due to the appellants/Writ Petitioners herein and thus render justice.

[W.A.No.743 of 2021]

U.Rajagopal

... Appellant

Vs.

1. State Of Tamil Nadu,
Rep. by its Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai-9.

2. Director,
Commissionerate Of Rural Development And Panchayat Raj,
Panagal Building, Chennai-15.

3. District Collector,
Thiruvannamalai District,
Thiruvannamalai.

... Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to allow the above writ appeal in the interest of justice and fair play by setting aside the order dated 18-11-2019 of this Hon'ble Court made in WP.No.24327 of 2019 in so far as it rejects the claim for payment of interest on the notional benefits payable to the writ petitioner and consequently, directing the respondents to pay interest on the notional benefits due to the appellant/ writ petitioner herein.

For Appellants in



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all Writ Appeals : Mr.V.R.Rajasekaran

For Respondents in
all Writ Appeals : Mr.R.Neelakandan,
Additional Advocate General.

COMMON JUDGEMENT

(Judgement of the Court was delivered by S.M.Subramaniam J.)

The writ appeals have been instituted challenging the common order dated 18.11.2019 in W.P.Nos. 24389, 24330, 24376 & 24327 of 2019.

2. The common order impugned in the present writ appeals have already been set aside by the Hon'ble Division Bench of this Court in Writ Appeal Nos.686 to 692 of 2020 dated 14.03.2024. The relevant paragraphs are extracted herein under:

“9. In view of the aforesaid findings and reasonings, we are of the view that the judgment of the Co-ordinate Bench had not laid down the correct preposition of law for us in to fall in line with the same. Since the learned Single Judge had relied upon the said judgment in coming to a conclusion that the respondents who are similarly placed persons who were the



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beneficiaries of the Division Bench judgment could also be extended with the same benefit. The learned Single Judge had also not looked into the said Rule even though it had been brought to the notice of him. Therefore, the orders impugned before us would have to necessarily be interfered with.

10. In fine, these Writ Appeals are allowed and the orders passed by the learned Single Judge, impugned in these Writ Appeals are set aside and consequently, the Writ Petitions filed by the respective respondents are dismissed. However, no order as to costs. Consequently, connected miscellaneous petitions are closed.”

The writ appeals in W.A.Nos.686 to 692 of 2020, filed by the State of Tamil Nadu were set aside and the writ petitions were dismissed.

3. Since the Hon'ble Division Bench passed the order setting aside the impugned common order dated 18.11.2019, dismissing the said appeals against the common order in the present writ appeals, no further adjudication on merits are required and the present writ appeals deserve to be dismissed.



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4. Accordingly, the impugned common orders dated 18.11.2019 passed in W.P.Nos. 24389, 24330, 24376 & 24327 of 2019, stands confirmed and the present Writ Appeal Nos.713, 715, 722 & 743 of 2021 are dismissed. No costs.

(S.M.S.J.,)

(C.K.J.,)

07.06.2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)

To

1. State Of Tamil Nadu,
Rep. By Its Secretary To Government,
Rural Development And Panchayat Raj Department,
Fort St.George, Chennai-9.

2. Director,
Commissionerate Of Rural Development And Panchayat Raj,
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5. District Collector,
Thiruvanamalai District, Thiruvanamalai.



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S.M.SUBRAMANIAM, J.

and

C.KUMARAPPAN, J.

(sha)

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07.06.2024