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W.P.No.457 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.457 of 2021
and
W.M.P.Nos.539 and 541 of 2021

N.Ganesan

... Petitioner

Vs.

1.The Secretary to Government,
Municipal Administration & Water Supply Development,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.

2.The Commissioner,
Pernampet Municipality,
Pernampet,
Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for entire records pertaining to the order of the 2nd respondent vide his proceedings in Na.Ka.No.C1/753/2018 dated 28.11.2019 and quash the same as illegal, arbitrary, unreasonable being violative of rules and principles of natural justice thereby direct the 2nd respondent herein to sanction and disburse all the benefits set out in the petitioner's representation dated 22.03.2017 with admissible rate of interest.



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For Petitioner : Mr.A.R.Suresh

For Respondents : Ms.E.Ranganayaki
Additional Government Pleader
for R1

Mr.P.Srinivas
for R2

ORDER

This Court, after having heard the learned counsel on either side at length passed the following interim order on 18.06.2024:-

“Through the impugned proceedings dated 28.11.2019, the 2nd respondent expressed difficulty in finalising the terminal benefits payable to the petitioner on superannuation, for want of availability of original Service Register and the same stand is also taken in the counter affidavit filed by the 2nd respondent.

2. *Having taken note of the same, this Court directed the petitioner to produce a copy of the Service Register and, accordingly the learned counsel for the petitioner submitted a copy of the entire Service Register available with him.*

3. *In view of the same, the petitioner is directed to submit self attested copy of the entire Service Register along with the affidavit stating that the copy of the Service Register is a genuine copy of the original Service Register, before the 2nd*



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respondent within a period of two (2) weeks from today i.e, 18.06.2024.

4. *On submission of such representation together with a copy of the Service Register, the 2nd respondent shall take into consider and also look into the genuineness of the same and then pass orders afresh on the claims made by the petitioner within a further period of four weeks and report the same to this Court.*

5. *Post the matter on 26.07.2024, under the same caption.”*

2. Pursuant to the above order, the respondents have considered the claim of the petitioner and accordingly, the second respondent passed an order dated 16.07.2024, explaining the reasons as to why the claim of the petitioner cannot be entertained.

3. In the light of the above, no further adjudication can be made in this writ petition. In case, if the petitioner is aggrieved by the above said proceedings dated 16.07.2024, the petitioner may have to take appropriate steps in accordance with law. Liberty is given to the petitioner to take appropriate steps in accordance with law.



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4. Accordingly, this Writ Petition is closed. No costs. Consequently, connected writ miscellaneous petitions are also closed.

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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes/No

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To

- 1.The Secretary to Government,
Municipal Administration & Water Supply Development,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.
- 2.The Commissioner,
Pernampet Municipality,
Pernampet,
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MUMMINENI SUDHEER KUMAR, J.

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