



W.P.No.5652 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.5652 of 2015
and
W.M.P.Nos.1 and 2 of 2015

L.Vijayakumar

... Petitioner

Vs.

1. Ex-Servicemen Department (General),
Rep. by The Chief Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600 009.
2. The Director,
Directorate of Ex-Service Welfare Department,
Chennai - 600 003.
3. The Secretary,
Tamil Nadu Service Commission,
Chennai - 600 007.
4. The Assistant Director,
Ex-Servicemen Welfare Office,
Kancheepuram District,
Tambaram, Chennai - 600 045.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
to issue a writ of certiorarified mandamus, calling for the records of the first



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respondent in Government Order No.196 dated 05.02.2015 and quash the same consequently direct the respondents to pay the increments and other monetary benefits according to the promotion which ought to have been granted to the petitioner when the charges were framed.

For petitioner : Mr.G.Hari
for Mr.K.Baskar
For R1,R2 and R4 : Mr.P.Gurunathan
Additional Government pleader
For R3 : Mr.R.Bharanidharan

ORDER

This writ petition is filed seeking for a certiorarified mandamus to quash the proceedings of the first respondent in Government Order No.196 dated 05.02.2015 and directing the respondents to pay the increments and other monetary benefits.

2. Mr.G.Hari, learned counsel representing Mr.K.Baskar, learned counsel on record for the petitioner submitted that the learned counsel for the petitioner has sent a letter to the petitioner with acknowledgment due seeking for instructions. The said letter was returned unserved as "unclaimed" and



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also submitted a copy of the postal cover to show that the registered post has been sent to the petitioner and returned unserved. Further, it is submitted that the petitioner has not approached the counsel for a long time and he has not got any instructions.

3. It appears that the petitioner is not interested to prosecute this case any more. Accordingly, this writ petition is dismissed for non-prosecution with a liberty to re-open the same if cause of action survives. Connected M.P.s are closed. No costs.

29.01.2024

vca

To:

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600 009.
2. The Director,
Directorate of Ex-Service Welfare Department,
Chennai - 600 003.
3. The Secretary,
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4. The Assistant Director,
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DR. D.NAGARJUN,J.

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