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W.M.P.No.25644 of 2023

in

W.P.No. 6968 of 2014

S.M.SUBRAMANIAM, J.

The clarification petition has been filed to clarify whether the petitioner is eligible for retrospective monetary benefits, consequent to the relief granted by this Court in order dated 09.06.2022.

2. The case of the petitioner was considered on merits. This Court granted the benefit of seniority, further promotion and pensionary benefits, consequent to the retrospective regularisation of the services of the writ petitioner from the date of his temporary promotion. Once the benefit of regularisation was granted from the date of his temporary promotion and further promotion, and pensionary benefits are granted, this Court has not extended any benefit of retrospective monetary benefit.

3. The very regularisation of his service itself was a concession granted in favour of the petitioner by the respondents and that being the factum, now in a clarification petition, the petitioner cannot seek retrospective monetary benefits. More so, in the clarification petition, the issues cannot be re-adjudicated on merits.

4. Accordingly the present W.M.P.No.25644 of 2023 is dismissed.

12.01.2024

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