



WEB COPY



W.P.No.23 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.23 of 2024
and
W.M.P.No.13 of 2024

P.Elangovan

...Petitioner

-Vs-

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Village President,
Iruppu Panchayath,
Virudhachalam Taluk.

3.The Block Development Officer,
Kammapuram Panchayat,
Virudhachalam Taluk,
Cuddalore District

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to pay the Petitioner's salary from May 2023 to November 2023 of Rs.32,760/- and pay the Petitioner's salary from the year 1994 to 2003 with arrear for the period from 2017 to 2023.



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For Petitioner : Mr.K.Srinivasan
For R1 : Dr.T.Seenivasan
Special Government Pleader
For R2 & R3 : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the respondents to pay the salary of the petitioner from the month of May 2023 to November 2023 and from the year 1994 to 2003 with arrear for the period from 2017 to 2023.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was appointed as Over Head Tank Operator in the second respondent Panchayat Union. He was not engaged from the month of June 2023 since he attained the age of superannuation. Now, the petitioner is claiming salary from the year 1994 to 2003 and from 2017 to 2023. According to the petitioner, he is aged about only 58 years. However, as per the records, he attained the age of superannuation and as such, he is not entitled



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for the salary for the year 1994 to 2003 and 2017 to 2023, since he was not engaged by the second respondent.

4. That apart, the salary for the years 1994 to 2003 and 2017 to 2023 cannot be paid, since it is claimed belatedly. If at all the petitioner is entitled for the said salary, he would have submitted a representation much earlier. Therefore, the claim itself is belated one and the writ petition is devoid of merits and it is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

08.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Lpp



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G.K.ILANTHIRAIYAN. J,

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To

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Virudhachalam Taluk.
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