



W.P.(MD) No.2558 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.2558 of 2024
and W.M.P.(MD) Nos.2567 and 2568 of 2024**

A.Jeevarathinam

... Petitioner

-VS-

- 1.The Additional Registrar General,
Madurai Bench of Madras High Court,
Madurai.
- 2.The Principal District and Sessions Judge,
Ramanathapuram,
Ramanathapuram District.
- 3.The District Munsif Cum Judicial Magistrate,
Thiruvadanai,
Ramanathapuram District.
- 4.The District Munsif,
Mudukulathur Taluk,
Ramanathapuram District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus call for the entire records pertaining to the impugned proceedings of the 1st respondent dated 25.11.2022 and quash the same as illegal and consequently direct the 1st respondent to consider the petitioner's request to go for voluntary retirement on the ground of medical invalidation.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.M.Mohaboob Athiff
Standing Counsel

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed challenging the proceedings of the 1st respondent dated 25.11.2022 and consequently, to direct the 1st respondent to consider the petitioner's request to go for voluntary retirement on the ground of medical invalidation.

2. According to the petitioner, the proceedings of the 1st respondent is not in consonance with the procedure as contemplated under the Fundamental



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WEB COPY Rule 56(2) of Government of Tamil Nadu. Hence, the Writ Petition.

3. According to the learned Standing Counsel for the respondents, against the impugned order, the petitioner is having appeal remedy and without availing the same, petitioner has approached this Court. Hence, the Writ Petition is liable to be dismissed.

4. Since the petitioner is having an appeal remedy and without availing the same, he has approached this Court under Article 226 of the Constitution of India, this Court is not inclined to entertain the Writ Petition.

5. Accordingly, the Writ Petition is dismissed with liberty to the petitioner to avail the appeal remedy within two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

[D.K.K., J.] [R.V., J.]
08.02.2024

Index : Yes / No
Internet : Yes / No
SJ



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

SJ

To

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