



W.A.(MD)No.588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.(MD)No.588 of 2024

and

C.M.P.(MD)No.4234 of 2024

1.The Director of Town Panchayats,
Kuralagam, Chennai – 108.

Presently at
Urban Administrative Office Campus,
No.75, Santhome High Road,
MRC Nagar, RA.Puram, Chennai – 28.

2.The District Collector,
Tirunelveli District, Tirunelveli.

3.The Assistant Director of Town Panchayats,
Tirunelveli Region, Tirunelveli.

: Appellants

Vs.

M.Samuel Durai Raj

: Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent,
praying to set aside the order passed by this Court in W.P.(MD)No.
12445 of 2014 dated 28.09.2021 and allow the Writ Appeal.



W.A.(MD)No.588 of 2024

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For Appellants : Mr.Veera Kathiravan,
Additional Advocate General,
Assisted by Mr.A.Kannan,
Additional Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **R.SURESH KUMAR, J.**]

This intra Court Appeal has been directed against the order passed by the Writ Court in W.P.(MD)No.12445 of 2014 dated 28.09.2021.

2.By the said order, the Writ Court having set aside the punishment of reversal, directed to treat the respondent / writ petitioner as retired from the original post, from the date of his superannuation and all the terminal benefits shall be worked out and be paid to the respondent / writ petitioner, on the basis of the records within a period of twelve [12] weeks from the date of receipt of a copy of that order.

3.Though, intra Court appeal has been filed against the said order in the present writ appeal, today, when the appeal is taken up for hearing at the admission stage, Mr.Veera Kathiravan,



W.A.(MD)No.588 of 2024

learned Additional Advocate General assisted by Mr.A.Kannan, learned Additional Government Pleader appearing for the appellants would submit that, during the pendency of this appeal, already orders have been passed, whereby the respondent / writ petitioner had been treated as if he is superannuated from the post where he was held as Selection Grade Executive Officer and accordingly, his last drawn salary having been calculated, the retirement cum pensionary benefits have started to be disbursed and proceedings to that effect have been issued by the authorities concerned on 07.02.2020, 19.08.2020 and the Accountant General also by order dated 26.05.2020, has passed an order for disbursing such retiral benefits, treating the respondent / writ petitioner as Selection Grade Executive Officer. Therefore, virtually the order passed by the Writ Court having been complied with, no further orders need to be passed in this Writ Appeal.

4.Having considered the said submission made by the learned Additional Advocate General and recording the said submissions as well as the developments that had taken place before taking this Writ Appeal even for admission, we are inclined to dispose of the same, as no further persuasive action is required, as sought for in this Writ Appeal.



W.A.(MD)No.588 of 2024

WEB COPY

5. Accordingly, this Writ Appeal stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[R.S.K.J.] & [G.A.M.J.]

10.04.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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and
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MR

ORDER MADE IN
W.A.(MD)No.588 of 2024

10.04.2024