



CMP(MD) No.749 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the Twenty Ninth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD) No.749 of 2024
in
WA(MD)No.74 of 2024

1 THE SECRETARY TO THE GOVERNMENT,
ADI DRAVIDAR AND TRIBAL WELFARE DEPARTMENT,
SECRETARIAT, ST.GEORGE FORT,
CHENNAI.

2 THE COMMISSIONER OF ADI DRAVIDAR
AND TRIBAL WELFARE DEPARTMENT,
CHEUPAUK,
CHENNAI - 05.

3 THE DISTRICT ADI DRAVIDAR AND
TRIBAL WELFARE OFFICER,
MADURAI, MADURAI DISTRICT.

... APPELLANTS 1 TO 3/RESPONDENTS 1 TO 3

Vs

U.THERADIAN

... RESPONDENT/PETITIONER

Civil Miscellaneous petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of Interim Stay the operation of order passed by the Honourable Court in WP(MD). No.14757 of 2020 dated 01.02.2023 pending disposal of the above Writ Appeal before this Honourable Court.



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Prayer in WA(MD). 74/ 2024 :

Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed in WP(MD)No.14757 of 2020 dated 01.02.2023 on the file of this Hon'ble Court and allow the above writ appeal.

Prayer in WP(MD). 14757/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of certiorafied Mandamus, to call for the records relating to impugned order passed by the 2nd Respondent in Na.Ka.No.E1/8212/2019 dated 20-02-2020 and quash the same and consequently direct the respondents to disburse the petitioner encashment of earned leave salary, unearned leave on private affairs and Special provident Fund along with interest at the rate of 18 percent from the date of his superannuation.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.AMJAD KHAN, Government Advocate for the petitioners and of Mr.B.VINOTHKUMAR, Advocate on behalf of the Respondent, the Court made the following order:-

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

It is submitted by Mr.B.Vinoth Kumar, learned counsel appearing for the respondent that pending Writ Appeal, the appellant Department has complied with the order of the learned Single Judge dated 01.02.2023 passed in W.P.(MD)No.14757 of 2020.

2.In view of the above, this Court feels that this petition, seeking interim stay of the order passed by the learned Single Judge becomes infructuous. Therefore,



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this petition is dismissed.

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sd/-
29/01/2024

/ TRUE COPY /

/02/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

YUVA

TO

1 THE SECRETARY TO THE GOVERNMENT,
ADI DRAVIDAR AND TRIBAL WELFARE DEPARTMENT,
SECRETARIAT, ST.GEORGE FORT,
CHENNAI.

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MADURAI, MADURAI DISTRICT.

ORDER
IN
CMP(MD) No.749 of 2024
in
WA(MD)No.74 of 2024
Date :29/01/2024

SS/JGB/SAR- /02/02/2024/3P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023