



W.P.(MD)No.18008 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.18008 of 2016

and

W.M.P(MD) Nos.12980 to 12982 of 2016

M.Arumugathammal

: Petitioner

Vs.

1. The District Collector,
O/o. the District Collector,
Tirunelveli District.
- 2.The Joint Director of Health Services,
Tenkasi, Tirunelveli District.
- 3.The Block Development Officer,
(Village Panchayat),
Manoor, Tirunelveli District.
- 4.The President,
Mavadi Panchayat,
Tirunelveli District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the



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records pertaining to the impugned order passed by the third respondent in Na.Ka.No.Aa3/140/2013 dated 07.06.2016 and the consequential impugned order in dated 30.06.2016 on the file of the fourth respondent and quash the same as illegal and consequently direct the third and fourth respondents to permit the petitioner to join with the fourth respondent's Panchayat as Sweeper till the age of 60 with all consequential benefits.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.M.Senthil Ayyanar

Government Advocate

ORDER

This writ petition has been filed challenging the proceedings of the third respondent in Na.Ka.No.Aa3/140/2013, dated 07.06.2016 and for a consequential direction to permit the writ petitioner to join with the fourth respondent Panchayat as Sweeper till the age of 60 years with all consequential benefits.

2. According to the learned Counsel for the petitioner, the age of the petitioner as on date of filing of the writ petition was 56 years, however, as per the official records, the age of the petitioner was 58 years on the date of filing of the writ petition on 20.09.2016 and thereby, she is



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entitled to continue her service with the fourth respondent Panchayat for another two years. It is also the grievance of the petitioner that the terminal benefits as well as the salary for the month of June 2016, was not paid to the petitioner as per the rules and regulations of the Panchayat.

3. Mr.M.Senthil Ayyanar, the learned Government Advocate appearing for the respondents would submit that as per the records, the date of retirement of the petitioner was 30.06.2016 and she was superannuated on the same day prior to the filing of the writ petition and hence, she could not be allowed to continue in service after attaining the age of superannuation. However, with regard to the non-payment of terminal benefits and the last month salary i.e., June 2016 of the petitioner, the respondents will verify and if the said benefits had not been paid to the petitioner, the same may be paid as per the rules and regulations of the Panchayat.

4. In view of the submissions made by either side, the fourth respondent – the President, Mavadi Panchayat, Tirunelveli District, is hereby directed to settle the terminal benefits and the salary for the



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month of June 2016, if not paid to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

06.09.2024

Index : Yes / No

Internet : Yes / No

PKN

To

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J.SATHYA NARAYANA PRASAD, J.

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