



W.P.(MD)No.23219 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.23219 of 2019

P.Therilingam

... Petitioner

/Vs./

1.The Divisional Engineer,
Highways Department,
Tuticorin District, Tuticorin.

2.The Assistant Divisional Engineer,
Highways Department,
Thiruchandur Sub Division,
Thiruchendur, Tuticorin District.

3.The Assistant Engineer,
Highways Department,
Thiruchendur Sub Division,
Thiruchendur, Tuticorin District.

4.R.I.Viveganandan,
Road Inspector,
Highways Department,
Thiruchendur Sub Division,
Thiruchendur,
Tuticorin District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus directing the respondents to pass appropriate orders for regularizing the period of service rendered on two days i.e. 02.07.2012 and 03.07.2012 as duty period with payment of salary and to take appropriate legal action against the 4th respondent based on the enquiry conducted vide proceedings of the first respondent in Memo No. 4109/2012/A5 dated 12.10.2012 by considering the representation submitted by the Petitioner dated 17.02.2014 within a time frame as fixed by this Court.

For Petitioner : No appearance

For Respondents : Ms.D.Farjana Ghoushia (R1 to R3)

Special Government Pleader

No appearance (R4)

ORDER

There is no representation on the side of the petitioner. On the last hearing date, ie., on 28.08.2024, the learned Special Government Pleader appearing for the official respondents, on instructions had submitted that as early as in the year 2013 itself, the petitioner's request for treating the period from 02.07.2012 to 03.07.2012 as period of duty was rejected and she had further submitted that the petitioner has not challenged the said



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order of rejection, but instead, has chosen to file this writ petition seeking only for a mandamus. Hence, she had submitted that this writ petition is not maintainable.

2. The learned counsel appearing for the petitioner, on the last hearing date, sought time to get instructions with regard to the submission made by the learned Special Government Pleader appearing for the respondents.

3. Since there is no representation on the side of the petitioner today, it can now be inferred that the petitioner is not interested in prosecuting this writ petition. Accordingly, this writ petition is dismissed for non prosecution. No costs.

12.09.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:

- 1.The Divisional Engineer,
Highways Department,
Tuticorin District, Tuticorin.
- 2.The Assistant Divisional Engineer,
Highways Department,
Thiruchandur Sub Division,
Thiruchendur, Tuticorin District.
- 3.The Assistant Engineer,
Highways Department,
Thiruchendur Sub Division,
Thiruchendur, Tuticorin District.

Order made in
W.P.(MD)No.23219 of 2019

Dated:
12.09.2024