



W.A.(MD)Nos.1355 and 1356 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)Nos.1355 and 1356 of 2023
and
C.M.P.(MD)Nos.10315 and 10316 of 2023**

W.A.(MD)No.1355 of 2023:-

- 1.The Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.
 - 2.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
- ... Appellants

Vs.

- 1.A.Periyakaruppan (Died)
 - 2.K.Jeyakandhi
- ... Respondents

*(2nd respondent is impleaded as the legal heir of
the deceased sole respondent vide order dated
04.06.2025 in C.M.P.(MD)No.14077 of 2024 in
W.A.(MD)No.1355 of 2023 by GRSJ & KRSJ)*



W.A.(MD)Nos.1355 and 1356 of 2023

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.18636 of 2013 dated 19.04.2022 on the file of this Court.

For Appellants : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.N.Satheeshkumar,
Addl. Government Pleader.

For Respondents : Mr.S.Visvalingam

W.A.(MD)No.1356 of 2023:-

1.The Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.

2.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

... Appellants

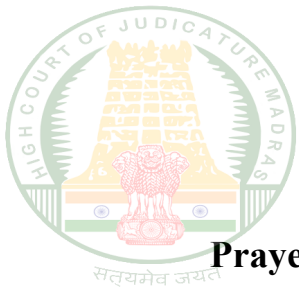
Vs.

1.A.Periyakaruppan (Died)

2.K.Jeyakandhi

... Respondents

(2nd respondent is impleaded as the legal heir of the deceased sole respondent vide order dated 04.06.2025 in C.M.P.(MD)No.14074 of 2024 in W.A.(MD)No.1356 of 2023 by GRSJ & KRSJ)



W.A.(MD)Nos.1355 and 1356 of 2023

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.3070 of 2020 dated 19.04.2022 on the file of this Court.

For Appellants : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.N.Satheeshkumar,
Addl. Government Pleader.

For Respondent : Mr.S.Visvalingam

COMMON JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The writ petitioner retired from service in the cadre of Deputy Collector. Prior to his retirement, he was visited with an order of compulsory retirement and consequently, there was 1/3rd cut in his pension. Challenging the same, the writ petitioner filed W.P.(MD)No. 18636 of 2013 and W.P.(MD)No.3070 of 2020. The learned Single Judge vide order dated 19.04.2022 modified the punishment to one of stoppage of increment for a period of six months without cumulative effect. Aggrieved by the same, the State has filed these writ appeals.



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3.We do not want to go into the merits of the matter. It is seen that the writ petitioner had only enforced the order passed by the head of the department. The order of the head of the department *per se* does not appear to be illegal. Therefore, this act of compliance on the part of the writ petitioner cannot be construed as misconduct in the special facts and circumstances of this case.

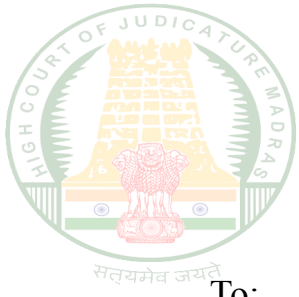
4.That apart, it is also seen that the writ petitioner has passed away during the pendency of these writ appeals proceeding. His legal heirs have come on record. The government is given three months from today ie., 18.07.2025 to disburse all the terminal benefits.

5.In this view of the matter, the order of the learned Single is sustained aside and the writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (K.R.S. J.)
18.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:
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- 1.The Secretary to Government,
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Chennai - 600 009.
- 2.The Additional Chief Secretary and
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Ezhilagam, Chepauk,
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W.A.(MD)Nos.1355 and 1356 of 2023

G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

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