



W.A(MD)No.7 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

W.A(MD)No.7 of 2020

R.Krishnan

... Appellant

Vs

- 1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education (Elementary)
Fort St. George, Chennai.
 - 2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-600 006.
 - 3.The District Elementary Educational Officer,
Tuticorin.
 - 4.The Assistant Elementary Educational Officer,
Ottapidaram,
Tuticorin District.
 - 5.The Accountant General (Pension),
Chennai-600 016.
- ... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 08.08.2019 made in W.P(MD)No.327 of 2014 and allow this writ appeal.



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For Appellant : Mr.R.R.Kannan
For R1 to R4 : Mr.T.Ajmal Khan
Government Advocate
For R5 : Mr.P.Gunasekaran

JUDGMENT

(Judgment of the Court was made by C.V.KARTHIKEYAN,J.)

The writ petitioner in W.P(MD)No.327 of 2014 is the appellant herein.

2. It has informed that the appellant had died pending writ appeal. Even otherwise, he had filed the writ petition seeking to quash the G.O.Ms.No.179, dated 06.09.2013 and direct the respondents to consider the service rendered by him as Secondary Grade Teacher prior to 01.06.1998 to refix his pay, grant all monetary, service and other benefits.

3. The writ petition had been filed in the year 2014. It is contended by the learned counsel for the appellant that he has been instructed to inform that the benefits had been extended by an order dated 18.01.2018 passed by the respondents. Unfortunately, this particular fact has not been brought to the notice of the learned Single Judge at the time of dismissing the writ petition on the ground of laches.



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4. Apprehending that the benefits that have been granted by the order dated 18.01.2018 would have to be refunded consequent to the dismissal of the writ petition, the present writ appeal has been filed.

5. One supervening circumstance viz., death of the appellant that would be a relevant factor since any recovery could be made only from the family pension, which is not permissible under the rules. We will only record these facts and close the writ appeal.

6. Accordingly, the writ appeal is closed. No costs.

(C.V.K., J.) (R.V., J.)
04.09.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
W.A(MD)No.7 of 2020

04.09.2025