

Petitioner Vs. Respondent

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Court : Chennai Madurai

Decided On : Aug-11-2016

Judge : Nooty. Ramamohana Rao & S.S. Sundar

Appeal No. : M.P. (MD) No. 2 of 2014 & W.A.(MD)No. 1270 of 2014

Appellant : Petitioner

Respondent : Respondent

Judgement :

Nooty. Ramamohana Rao,J.

1. It is appropriate to notice that while entertaining W.P.Nos.8959 and 9025 of 1999, the Learned Single Judge, by his order dated 04.08.2008 allowed the writ petitions and quashed the impugned order of clarification furnished by the State Government. The matter was then carried in appeal by the State Government and W.A.Nos.1666 and 1667 of 2009 was heard by a Division Bench, on 15.11.2009 and by an order passed on that day, dismissed both the writ appeals, observing that they have become infructuous. But, however, the matter was again brought to the notice of this Court. Hence, the same Division Bench dealt with W.A.Nos.1666 and 1667 of 2009 on 18.11.2009 and by a detailed order passed therein, it was observed that the contents of G.O.Ms.No.175, Rural Development and Panchayat (E5) Department, dated 05.12.2006, under which, the Village Panchayat Employees on consolidated pay basis were brought to regular time scale of pay

with effect from 19th February 2006 was not brought to the notice of the Learned Single Judge and hence, the Division Bench dismissed the writ petitions and allowed the writ appeals.

2. We find now that the Learned Single Judge has not noticed the subsequent order passed by the Division Bench on 18.11.2009 in W.A.Nos.1666 and 1667 of 2009. In that view of the matter, let there be stay of operation.

3. Let the Special Government Pleader keep the paper book by filing all the relevant G.Os and if necessary together with the translated copies thereon. Liberty is preserved to both sides for making a mention for hearing the writ appeal out of turn basis, after four weeks.

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