



WEB COPY

WP No. 5242 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 5242 of 2022

and

WMP No.5330 of 2022

D.Selvakumari
W/o. Sivamurthy
No.9, 4th Cross Street
Rajivi Gandhi Nagar,
Vellore-632 002

..Petitioner(s)

Vs

1. The Collector
Collectorate Vellore
2. The Thasildhar
Katpadi Taluk,
Vellore District
3. The Executive Engineer
Water Resources Department,
Public Work Department
Uppar Palar Basin Division,
Gandhi Nagar, Vellore- 632 006
4. The Superintending Engineer
Water Resources Department,
Ponnai Sscheme
Tiruvannamalai-2
5. The Chief Engineer
Water Resources Department
PWD, Chepauk
Chennai-600 005
6. The Principal Chief Engineer (General)
Water Resources Department, PWD,
Chepauk, Chennai-600 005



7. Jayanthi
No. 3/2, Valli Jayammal Third Street,
Mettur, Viruthampattu
Katpadi Taluk
Vellore District

..Respondent(s)

Writ Petition under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 to 6 not to disburse the departmental and pension benefit of the petitioner's deceased brother, namely Mr. Selvakumar to the 7th respondent till the disposal of O.S.No. 122 / 2015 pending on the file of District Munisif, Katpadi.

For Petitioner(s):	Mr.A.Gouthaman
For Respondent(s):	Mr.V.Sivalingam Government Advocate for R1 to R6 Mr.A.Rajesh Kanna for R7

ORDER

The present writ petition has been filed seeking a direction to the respondents 3 to 6 not to disburse the departmental and pension benefit of the petitioner's deceased brother, namely Mr. Selvakumar to the 7th respondent till the disposal of O.S.No. 122 / 2015 pending on the file of District Munisif, Katpadi.

2.The learned counsel appearing for the petitioner would fairly submit that, during the pendency of the writ petition, the amount has already been disbursed to the 7th respondent.



3. In such view of the above submission, this Court absolutely does not find any issue to be decided further. Further more, an ex parte decree was passed on 30.01.2026 in O.S. No.122 of 2015 on the file of the District Munsif, Katpadi, declaring that the 7th respondent is the legal heir of the deceased employee. Though the learned counsel for the petitioner would submit that he has already moved an application to set aside the ex parte decree, the fact remains that the decree is in force as on today and the amount has already been disbursed to the 7th respondent. This factum has also been admitted by the learned counsel appearing for the petitioner.

4. Hence nothing survives for further consideration in this writ petition. Accordingly, this writ petition is dismissed as infructuous. However, the petitioner is at liberty to avail the alternative remedy by filing an appropriate application before the competent Civil Court in accordance with law. Consequently, connected miscellaneous petition is closed.

13-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Uma



To

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Public Work Department
Uppar Palar Basin Division, Gandhi Nagar
Vellore 632 006
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Water Resources Department,
Ponnai Scheme, Tiruvannamalai -2
5. The Chief Engineer
Water resources department PWD, Chepauk
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C.KUMARAPPAN, J.

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