

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.2785 of 2009

Dated 21.07.2015

Between:

Smt.P.Kalyani

... Petitioner

and

1.The Superintendent of Police
Nellore and 2 others

...Respondents

**Counsel for the petitioner: Mr.TV.Sumon for Mr.M.Venkata
Narayana**

Counsel for respondent Nos.1 & 2: AGP for Home (AP)

Counsel for respondent No.3: None appeared

The Court made the following:

Order:

This Writ Petition is filed for a Mandamus to declare the action of respondent Nos.1 and 2, in seeking to disburse the pensionary and death benefits of late P.Dileep Kumar (deceased) to respondent No.3 without considering the representations, dated 20.04.2002 and 18.07.2007, submitted by the petitioner's husband, as illegal and arbitrary. The

petitioner sought for a consequential direction to respondent Nos.1 and 2 to release the pensionary and death benefits of the deceased to her.

At the hearing, the learned Assistant Government Pleader for Home (AP), on instructions, submitted that as the limited stay granted by this Court on 16-02-2009 had expired four weeks thereafter and the interim order was not extended further, the pensionary and death benefits of the deceased were disbursed to respondent No.3 besides providing employment on compassionate grounds to her son. The learned Assistant Government Pleader has further submitted that the petitioner has filed FC.No.95 of 2009 in the Family Court, Nellore, claiming identical reliefs and that the same was dismissed on 05-10-2010.

Learned Counsel for the petitioner has not disputed the above submissions of the learned Assistant Government Plerader for Home.

In the light of the above facts, the cause in this Writ Petition does not survive for adjudication and the Writ Petition is, accordingly, dismissed as infructuous.

As a sequel to dismissal of the Writ Petition, WPMP.No.3575 of 2009, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 21st July, 2015

LUR