

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.A.No.747 of 2016

The Commissioner
Thiruvallur Municipality
Thiruvallur
Thiruvallur District

... Appellant/3rd Respondent

-vs-

1. K.Kalaiselvi

2. The Government of Tamil Nadu
rep by its Secretary
Municipal Administration &
Water Supplies Department
Fort St.George
Chennai 600 009

3. The Commissioner of Municipal Administration
Chepauk
Chennai 600 005

... Respondents

Appeal under Clause 15 of the Letters Patent, against the order dated 07.08.2014 made in W.P.No.34364 of 2012.

Writ Petition has been filed Under Article 226 of Constitution of India seeking to issue a Writ of Mandamus directing the respondents herein to sanction Family Pension to the petitioner and to disburse all monetary service and other attendant benefits to the petitioner consequent to the death of petitioners husband Late Krishthumani on 24.04.2003 while serving as sanitary worker as was sanctioned to the other 19 similarly situated employees under the 3rd respondent Municipality.

For Appellant :: Mr.P.Srinivas

For Respondents:: Mr.A.R.Suresh for R1
Mr.P.S.Sivashanmugasundaram
Special Government Pleader for
R2 & R3

JUDGMENT

(Judgment of the Court was made by HULUVADI G.RAMESH, J.)

This writ appeal is directed against the order passed in the writ petition, whereby a direction came to be issued to sanction family pension to the first respondent/writ petitioner for the services rendered by her husband late Krishthumani as Sanitary Worker in the appellant-Municipality.

2. When the matter was taken up, the learned counsel for the first respondent/writ petitioner fairly submitted that after the above order, since the proposals have been rejected by the Assistant Director, Local Fund Audit (Municipal Pensions), Chennai by proceedings dated 11.2.2015, the first respondent/writ petitioner has challenged the rejection order in Writ Petition No.22924 of 2015 and therefore nothing survives in this writ appeal. The learned counsel for the appellant also does not dispute the said statement.

3. In view of the above, this writ appeal is dismissed as infructuous, as nothing survives for adjudication. Consequently, C.M.P.No.9656 of 2016 is also dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Municipal Administration &
Water Supplies Department,
Fort St.George,
Chennai 600 009.

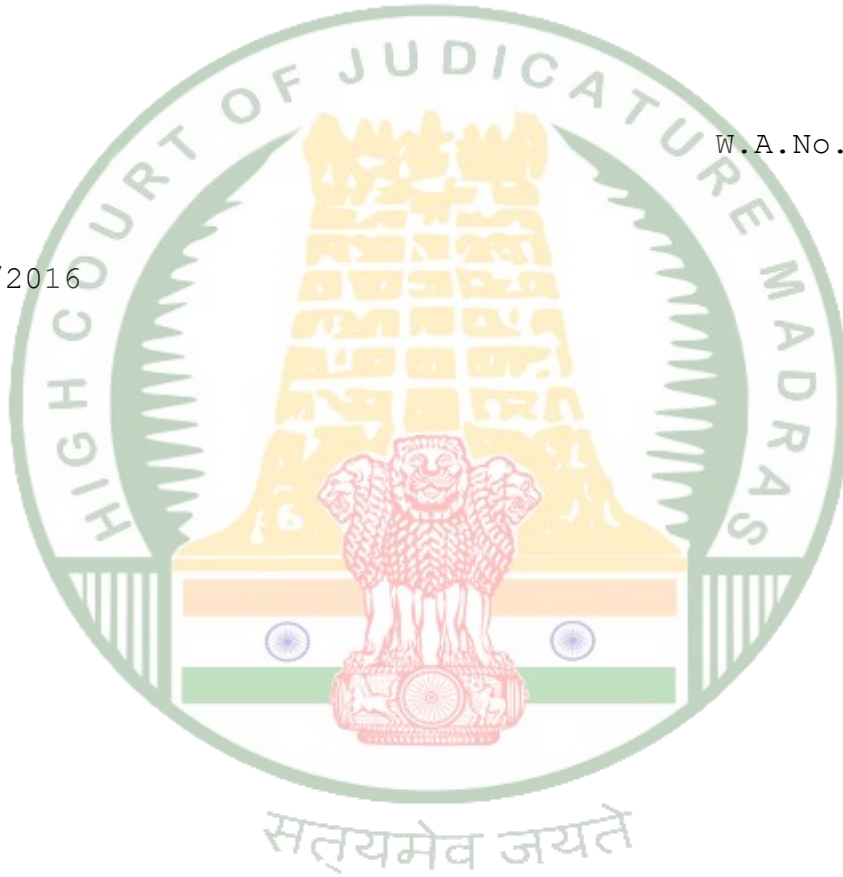
2. The Commissioner of Municipal Administration,
Chepauk,
Chennai 600 005.

3. The Commissioner,
Thiruvallur Municipality,
Thiruvallur,
Thiruvallur District.

+1cc to the Government Pleader Sr.83701
+1cc to Mr.P.Srinivas, Advocate Sr.32445

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srg 06/07/2016



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