



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.MANIKUMAR**
and
THE HONOURABLE MR.JUSTICE **C.T.SELVAM**

W.A.(MD).No.525 of 2016 &
C.M.P.(MD).Nos.3763 and 3764 of 2016

Rengasubramanian

... Appellant/Petitioner

versus

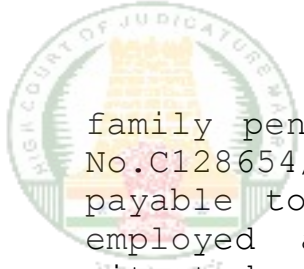
- 1.The Principal Accountant General,
Office of the Accountant General (A & E),
No.361, Anna Salai,
Chennai.
- 2.The District Elementary Educational Officer,
Trichy District,
Trichy.
- 3.The Assistant Elementary Educational Officer,
Vaiyampatti Union,
Trichy District.
- 4.The Treasury Officer,
Trichy District, Trichy.
- 5.The Sub Treasury Officer,
Manapparai Taluk,
Trichy District.
- 6.The Tahsildar,
Manapparai Taluk,
Trichy District.
- 7.Chinnamani

... Respondents/Respondents

Appeal filed under Clause 15 of Letters Patent against the order, dated 02.12.2015, made in W.P.(MD).No.21473 of 2015.

Prayer in WP(MD). 21473/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS Respondents No.1 to 4 herein not to disburse the monthly



family pension amount or any other retirement benefits vide PPO No.C128654/EDP, dated 13.5.2013 through the 5th Respondent, payable to the deceased A.Nallusamy, S/o. Alagar Maniam who was employed as Headmaster in Panchayat Union Elementary School situated at T.Thulukkampatti, Kumaravadi village, Manapparai Taluk, Trichy District to the 7th Respondent herein and consequently direct the respondents 1 to 5 to recover the family pension amounts already paid to the 7th respondent.

For Appellant : Mr.P.Mahendran for
Mr.J.Lawrance

For Respondents: Mr.VR.Shanmuganathan
1 to 6 Special Government Pleader

JUDGMENT

(Judgment of the Court was made by **C.T.SELVAM ,J.**)

The appellant/writ petitioner claiming himself to be the nephew of one A.Nalluchamy, a Headmaster, contended that on the demise of A.Nalluchamy, the family pension was received by the 7th respondent on a false claim of being the wife of the said A.Nallusamy. While in fact she the wife of another person by name T.Nallusamy. Contending that she had obtained family pension on the basis of a forged document, the appellant has filed the writ petition for a Mandamus not to disburse family pension to the 7th respondent. The writ Court vide order, dated 02.12.2015, dismissed the writ petition. Aggrieved thereby, the appellant is before this Court.

2. Before the writ Court, learned single Judge has rightly found that contentious facts could not be gone into in writ proceedings and if at all, the writ petitioner will have to establish his case before the civil Court. We find no error or illegality in the order impugned in this appeal. This writ appeal stands dismissed. No costs. Connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Principal Accountant General,
Office of the Accountant General (A & E),
No.361, Anna Salai, Chennai.



2.The District Elementary Educational Officer,
Trichy District, Trichy.

3.The Assistant Elementary Educational Officer,
Vaiyampatti Union, Trichy District.

4.The Treasury Officer, Trichy District, Trichy.

5.The Sub Treasury Officer,
Manapparai Taluk, Trichy District.

6.The Tahsildar, Manapparai Taluk, Trichy District.

+one cc to M/s.J.Lawrance, Advocate in SR.No.19463

+one cc to The Special Government Pleader in SR.No. 19488

jikr

CSL/AAL-MPA/06.05.2016 : 3p/9c

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