

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.4633 of 2007

ORDER:

Petitioner's husband was appointed as Watchman on 03.10.1979 and thereafter, promoted as Attender. He died on 24.11.2003. On certain allegations, he was kept under suspension and subsistence allowance was paid up to 31.10.2003 but thereafter, it was not paid. The petitioner claims to be appointed on compassionate grounds and accordingly, she submitted a representation on 27.01.2004. She also submitted another representation on 31.01.2004 seeking to release all monetary benefits.

A counter-affidavit is filed on behalf of the respondent stating that the petitioner filed Writ Petition No.4902 of 2004 seeking compassionate appointment and the said Writ Petition was disposed of by this Court vide order, dated 18.03.2004. In pursuance of the said order, a letter was addressed to the petitioner on 26.04.2004 stating that the scheme of compassionate appointment was withdrawn. She filed another Writ Petition No.24562 of 2005 seeking compassionate

appointment and the said Writ Petition was disposed of on 20.12.2005. The death benefits were paid on 26.06.2006. The petitioner suppressed all these facts in the present Writ Petition. An amount of Rs.1,09,480/- was paid on 26.06.2006 and the petitioner acknowledged the same on 27.06.2006. The subsistence allowance for 21 days to the tune of Rs.1,643/- was credited to the Savings Account of the petitioner on 20.02.2004.

The petitioner did not file any reply affidavit disputing the aforesaid averments mentioned in the counter-affidavit.

In view of the statement made by the respondent in the counter-affidavit that the death benefits were paid to the petitioner, nothing survives for adjudication in the present Writ Petition.

The writ petition is accordingly dismissed.

Consequently, Miscellaneous Petitions, if any pending in this Writ Petition shall stand closed. No order as to costs.

A.RAMALINGESWARA RAO, J

17th SEPTEMBER, 2016.

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