

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23271 OF 2005

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to issue an order or direction more particularly, in the nature of writ of *mandamus* to declare the action of the respondents in not releasing the amount of late K.Prakash, T.No.22851 under “HMT EMPLOYEES DEATH-CUM-SERVICE MUTUAL BENEFIT FUND” to the petitioner as illegal and arbitrary and consequently, direct the respondents to release the amount forthwith to the petitioner.

2. Today, when the matter is called, it is brought to the notice of this Court by the learned counsel for the petitioner as well as the learned Standing Counsel representing the respondents that no such benefit fund was in existence even at the time of filing of the writ petition.

3. Recording the same, this Court is of the view that nothing survives for adjudication in this writ petition and hence, the Writ Petition is liable to be dismissed as infructuous.

4. Accordingly, the Writ Petition is dismissed as infructuous. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

30.9.2016
AMD

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Date: 30.9.2016

AMD