

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2466/2017

K.Perezhilmaran

...Petitioner

Vs

1.The District Collector
Tiruvannamalai District Collector Office,
Tiruvannamalai District.

2.The Tahsildar
Polur Taluk Office, Polur,
Tiruvannamalai District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to disburse the terminal payments which includes gratuity, pension, social welfare scheme benefits to the petitioner relating to the petitioner's father V.Kumar who was working as a Junior Assistant in Revenue Department and died on 16.12.2003.

For Petitioner : Mr.P.Paramasiva Doss
For Respondents : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner claims to be an adopted son of [late] V.Kumar, through a registered Adoption Deed dated 15.10.2003 on the file of the office of the Sub Registrar, Tiruvannamalai. The petitioner would further aver that his adopted father was working as Junior Assistant in the office of the Tahsildar, Tiruvannamalai Taluk, and after his demise, move the authorities for claiming the terminal benefits and the 1st respondent directed the petitioner for production of Court order

and therefore, the petitioner's biological father and mother have filed an application under section 7[b] of the Guardian and Wards Act, in GWOP No.14/2008, before the District Court, Tiruvannamalai, and it was dismissed on 30.09.2009 holding that the adoption cannot be cancelled as per section 15 of the Hindu Adoption and Maintenance Act, 1956. The petitioner also filed OP.No.1/2006 u/s.372 of the Indian Succession Act, for the purpose of getting the terminal benefits and it was ordered on 13.07.2006. The petitioner in the form of representation dated 29.12.2016, has prayed for settlement of terminal benefits of his adopted father and since no order is passed, the petitioner came forward to file the present writ petition.

3 Heard the learned counsel appearing for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances, and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the respondents 1 and 2, by enclosing a copy of this order as well as the necessary documents within a period of two weeks from the date of receipt of a copy of this order and the respondents 1 and 2, upon receipt of the same, shall consider the said representation, on merits and in accordance with law and pass orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
सत्यमेव जयते

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

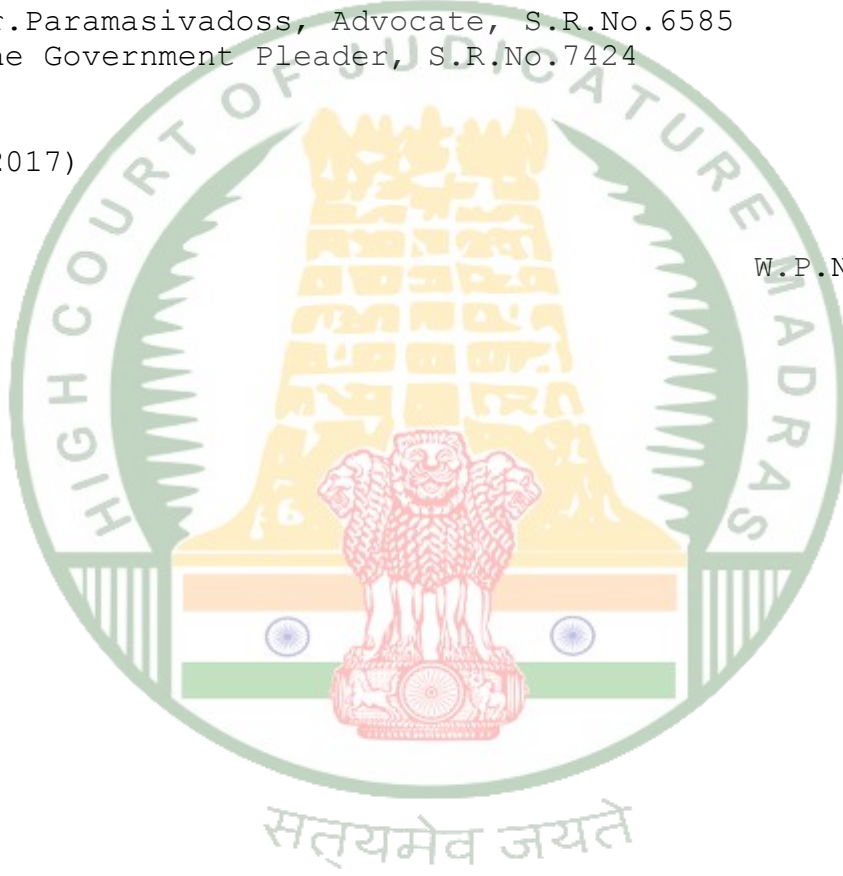
To

1. The District Collector
Tiruvannamalai District Collector Office,
Tiruvannamalai District.
2. The Tahsildar
Polur Taluk Office, Polur,
Tiruvannamalai District.

+lcc to Mr.Paramasivadoss, Advocate, S.R.No.6585
+lcc to the Government Pleader, S.R.No.7424

KGK(CO)
RS(14/02/2017)

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