

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19773 of 2003
And W.P.M.P. No.24721 of 2003

K.Parameswari

... Petitioner

Vs.

1. The Chief Educational Officer,
Dindigul District,
Dindigul Post.

2. Assistant Elementation
Education Officer,
Kodaikanal,
Dindigul District.

3. A.P.Krishnan

(R3 - Impleaded as per order of this Court
dated 04.09.2003 in W.P.M.P.No.25146/2003) ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent in Na.Ka.No.191/A4/2001 dated 08.06.2001 and quash the same and direct the 2nd respondent to restore the petitioner name as nominee into all the records relating to Mr.A.P.Krishnan.

For Petitioner : No Appearance

For Respondents : Mr.Digvijaypandiyan for R1 & R2
Additional Government Pleader
Mr.A.L.Gandhimathi for R3

O R D E R

The petitioner has filed this writ petition seeking issuance of Certiorarified Mandamus to call for the records of the 2nd respondent in Na.Ka.No.191/A4/2001 dated 08.06.2001 and quash the same and direct the 2nd respondent to restore the petitioner name as nominee into all the records relating to Mr.A.P.Krishnan.

2. There is no representation for the petitioner. Heard the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. The petitioner/wife of the third respondent made a representation through lawyer to the second respondent not to tamper the nomination papers, which was originally submitted by the petitioner's husband and in the typed set of papers, it is found that the third respondent nominated the petitioner as the nominee on 02.12.1975 and subsequently, nominated the petitioner for Family Pension on 22.08.1980 and nomination for the Tamil Nadu Family Benefit Fund Scheme was also available in the typed set of papers. However the second respondent passed the impugned order, saying that there is no nomination available in the service record. Aggrieved by the same, the petitioner has filed present writ petition.

4. The learned counsel appearing for the third respondent submitted before this Court that she is not able to contact her client and report the present position of the service records.

5. This Court is fully satisfied that there are records available establishing that the petitioner is nominee of the third respondent. The petitioner is directed to submit all the relevant records along with a copy of this order, to the second respondent and establish her nomination before the authority/second respondent. The authority/second respondent is directed to consider the records and pass appropriate orders, within a period of six weeks from the date on which the petitioner submits the relevant records.

6. The writ petition is accordingly, disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msvm/pri

To

1. The Chief Educational Officer,
Dindigul District,
Dindigul Post.
 2. The Assistant Elementation Education Officer,
Kodaikanal,
Dindigul District.
- + 1 cc to Government Pleader Sr.49727
+ 1 cc to Mrs. AL. Gandhimathi, Advocate Sr.49847

W.P.No.19773 of 2003
And W.P.M.P. No.24721 of 2003

EU 29.07.2017



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