



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.12303 of 2017
and
W.M.P. (MD) No.9466 & 11863 of 2017

S.Kohila

... Petitioner

Vs.

1. Government of Tamil Nadu
Represented by its Principal Secretary,
Department of Public Health,
Secretariat, Chennai.
2. The Director,
Public Health Department,
DMS Compound,
Teynampet, Chennai.
3. The Principal Accountant General (A&E),
Office of the Principal Accountant General,
361, Anna Salai,
Chennai.
4. V.Soundararajan,
Joint Director,
Public Health Department,
HIG 38, Sector I & II,
Tamil Nadu Housing Board Colony,
Near Telephone Exchange,
Koodal Nagar, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioner dated 10.06.2017 and continuously pay a monthly maintenance of Rs.5,000/- to the petitioner along with arrears of monthly maintenance to the petitioner and her daughter within a time frame that may be stipulated by this Court.

For Petitioner : Mr.R.R.Kannan

For Respondents : Mr.R.Velmurugan (for R1 & R2)
Government Advocate
Mr.P.Gunasekaran (for R3)
Mr.T.Lajapathi Roy (for R4)

**ORDER**

This Writ Petition has been filed to direct the respondents 1 to 3 to consider the representation of the petitioner dated 10.06.2017 and continuously pay a monthly maintenance of Rs.5,000/- to the petitioner along with arrears of monthly maintenance to the petitioner and her daughter within a time frame that may be stipulated by this Court.

2.This Court by an order dated 05.10.2017 has passed the following order:

"2.Having regard to the fact that the substance of the matter is actually an interse dispute between the fourth respondent and the petitioner, who are husband and wife, for payment of maintenance pursuant to Court orders and the petitioner seeks recovery of the same from the retirement dues of the fourth respondent, it is considered appropriate that the matter is refereed to the Mediation Centre attached to this Court"

3.In pursuance of the aforesaid order dated 05.10.2017 passed by this Court, the parties had appeared before the Mediation and Conciliation Centre attached to this Bench and in the report of the Mediation and Conciliation Center dated 16.11.2017, it has been stated that an amicable settlement has arrived between the parties on the following terms:-

1.The 4th respondent agreed to give Rs.5,87,000/- (Rupees Five Lakhs Eighty Seven Thousand Only) to the petitioner and her daughter towards their maintenance claim up to November 2017 from the DCRG (Death Cum Retirement Gratuity) benefits in compliance with the order dated 17/06/2017 in M.C.No.100/2007 on the file of the Family Court at Madurai.

2.The 4th respondent also agreed to give standing instruction to State Bank of India regarding future payment of maintenance of Rs.5,000/- (Rupees Five Thousand only) per month to the petitioner from his Savings Bank Account at State Bank of India, Vilangudi Branch from December 2017 to the petitioners Savings Bank A/c. No.20409314255 at State Bank of India, Batlagundu Branch every month.

3.The Petitioner in view of the above settlement agreed not to press the petition dated 10.06.2017 before 2nd and 3rd respondents regarding the terminal benefits of 4th respondent.

4.Both the parties agreed that the Administrative Officer, Office of the Deputy Director of Health Services, Madurai acting on behalf of 2nd and 3rd respondent could deduct the said amount of Rs.5,87,000/- (Rupees Five Lakhs



and Eighty Seven Thousand only) from DCRG of the 4th respondent and disburse it to the petitioner. The remaining amount of terminal benefits to be disbursed to the 4th respondent."

4. Recording the aforesaid settlement arrived between the parties, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. Government of Tamil Nadu
Represented by its Principal Secretary,
Department of Public Health,
Secretariat, Chennai.
2. The Director,
Public Health Department,
DMS Compound, Teynampet,
Chennai.
3. The Principal Accountant General (A&E),
Office of the Principal Accountant General,
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4. Joint Director,
Public Health Department,
HIG 38, Sector I & II,
Tamil Nadu Housing Board Colony,
Near Telephone Exchange,
Koodal Nagar, Madurai.

+1cc to Mr. T. LAJAPATHI ROY Advocate in SR. No. 90297

+1cc to Mr. R. R. KANNAN Advocate in SR. No. 90257

TA

JS/JC/SAR.1/15.12.2017/3P-7C

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