



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1670 of 2015

and

M.P. (MD) .Nos.1 and 2 of 2015

C.Mathanagopal

... Petitioner

Vs.

1.The Director of Family Welfare,
359, Anna Salai,
Teynampet, Chennai 600 006.

2.The Deputy Director (General)
Medical, Rural Welfare Service & Family Welfare
District Family Welfare Bureau,
Virudhunagar.

3.The Sub-Treasury Officer,
Sub-Treasury,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the second respondent ie., the Deputy Director (General), District Family Welfare Bureau, Virudhunagar relating to the letter No.e.f.vz;.745/Fe/m4/jzpf;if/2003 dated 09.01.2015 quash the same.

For Petitioner : Mr.S.Visvalingham

For Respondents : Mr.D.Muruganantham

Additional Government Pleader

ORDER

The order of recovery dated 09.01.2015 is under challenge in the present writ petition.

2.The learned counsel for the writ petitioner states that the original writ petitioner was employed as Health Inspector (Grade-I) in Government Primary Health Centre, Zaminkollan Kondan, Rajapalayam Taluk, Virudhunagar District and retired from service on 31.05.2001. However, the order of recovery was issued stating that an excess amount of Rs. 1,00,000/- was paid. The amount of recovery was imposed based on the audit objection. The amount of recovery had not been recovered from the writ petitioner.



3. In view of the fact that the order of recovery has not been implemented, the same cannot be now implemented as the writ petitioner has already died and the family pension as applicable is also settled in favour of the wife of the writ petitioner. This being the factum, no further adjudication is required and accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Director of Family Welfare,
359, Anna Salai,
Teynampet,
Chennai 600 006.
2. The Deputy Director (General)
Medical, Rural Welfare Service & Family Welfare
District Family Welfare Bureau,
Virudhunagar.
3. The Sub-Treasury Officer,
Sub-Treasury,
Rajapalayam,
Virudhunagar District.

+1 CC to Mr.S.VISVALINGAM, Advocate SR-82723.
+1 CC to SPL GP SR-83203.

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