

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 36176 of 2016

and

W.M.P. No. 31134 of 2016

C. Tharcius Paciturra

... Petitioner

-vs-

1. The Government of Tamil Nadu,
Rep. by its Secretary,
(Public Political Pension) - IV Department,
Fort St. George,
Chennai - 600 009.
2. The Collector of Dharmapuri,
Dharmapuri District,
Dharmapuri.
3. The Forensic Department,
Kamarajar Salai,
Situated next to DGP Office,
Chennai. ... Respondents
(R3 suo motu impleaded by order dated 19.07.2018)

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the Collector of Dharmapuri communicated in MM1677/2008/P2 dated 28.12.2015 and quash the same and direct the Respondents herewith to sanction the Tamil Nadu Freedom Fighters Pension to me with all attending benefits such as Bus travel concession, Medical health benefits etc.

For Petitioner : Mr. K.Goviganesan

For Respondents: Mr. D.Sathyaraj,
Special Government Pleader (for R1 & R2)

No appearance (for R3)

O R D E R
(through video conference)

The Writ Petition has been filed challenging the Order No. Mu. Mu. 1677/ 2008/Pa2 dated 28.12.2015 and consequently direct the Respondents to sanction the Tamil Nadu Freedom Fighters Pension to the Petitioner with all attending benefits such as bus travel concession, medical health benefits etc.

2. When the matter came up for hearing on 06.08.2018, Learned Counsel for the Petitioner had informed that the Petitioner has expired on 23.07.2019 and sought time for the legal heirs for filing necessary application to bring them on record to further prosecute the Writ Petition. It is informed by the Learned Counsel for the Petitioner that the legal heirs of the deceased Petitioner are yet to contact him to file necessary application to continue the proceedings.

3. In the aforesaid circumstances, the Writ Petition stands dismissed as abated with a clarification that the legal heirs of the deceased Petitioner are not precluded to seek for re-opening of the proceedings in the manner recognized by law, on satisfying the conditions prescribed for the same. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

vjt/dm

To

1. The Secretary to the Government of Tamil Nadu,
(Public Political Pension) – IV Department,
Fort St. George,
Chennai – 600 009.
2. The Collector of Dharmapuri,
Dharmapuri District, Dharmapuri.
3. The Director,
Forensic Sciences Department,
Forensic House,
30-A, Kamarajar Salai, Chennai – 600 004.

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GMY(08/09/2020)