



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.6100 of 2015

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Balamurugan

... Petitioner

Vs

The Commissioner,
Aundipatti Town Panchayat,
Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned memo issued by the respondent in Na.Ka.No.1429/2009/A5, dated 20.03.2015, quash the same and direct the respondent to send necessary proposal to the authorities for getting the service benefits of Jothiammal mentioning the name of the petitioner as her legal heir.

For Petitioner : Mr.K.Gokul

For Respondent : Mr.K.Mahesh Raja

ORDER

The relief sought for is to quash the order, dated 20.03.2015, issued by the respondent.

2.The respondent Commissioner, Aundipatti Town Panchayat, refused to recommend the case of the writ petitioner for the settlement of the terminal and pensionary benefits by stating that the petitioner has to submit a legal heir certificate and only in the event of submitting the legal heir certificate, his petition will be forwarded for the settlement of terminal and pensionary benefits of the deceased viz., M/s.Jothiammal.

3.The learned counsel appearing for the petitioner states that the petitioner is not a class one legal heir and the deceased was his aunt. Therefore, the petitioner has to get appropriate successive certificate from the competent Court of law for the purpose of considering his case.

4.In any event, all the requisite documents are to be submitted before the competent authority for the purpose of redressal of his grievances. The petitioner is at liberty to approach the Competent Court or the authorities concerned and produce all the certificates enabling the authorities to consider his case on merits and in accordance with law.



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5. With these observations, this Writ Petition stands disposed of. No costs.

// True Copy //

Sd/-

Assistant Registrar (CS-III)

/ /2020

Sub Assistant Registrar (CS)

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To

The Commissioner,
Aundipatti Town Panchayat,
Theni District.

W.P (MD) No. 6100 of 2015
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SE (CO)

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