

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.03.2021

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.NO.18895 OF 2011

K.K.Palaniammal

... Petitioner

Vs.

1. The Director of Local Fund Audit
Kuralagam, Chennai 600 108.

2. The Executive Officer,
Pallapatti Municipality
Pallapatti, Karur District.

... Respondents

Prayer:

Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to sanction the Family Pension to the petitioner on the death of the petitioner's husband Late Mr.Karuppan dated 15.09.1977 who worked as Sweeper in the 2nd respondent Municipality.

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.K.Magesh
Special Government Pleader

ORDER

The prayer sought for in this writ petition is to issue a writ of mandamus directing the first respondent to sanction the Family Pension to the petitioner on the death of her husband Late Mr.Karuppan dated 15.09.1977 who worked as Sweeper in the second respondent Municipality.

2.The petitioner's husband died on 15.09.1977 after having worked as Sweeper in the second respondent Municipality and in order to get family pension, the petitioner has filed this writ petition seeking for mandamus.

3.When the case is taken up for hearing, it is submitted by the learned Special Government Pleader appearing for the respondents that, the petitioner is no more as she died on

29.09.2018 and a death certificate to that effect issued by the Vellore Town Panchayat has been produced by the learned Special Government Pleader.

4.Since the prayer sought for by the petitioner is for family pension, for which, she alone would be entitled to and since she is no more, even if other legal heirs were brought on, they cannot agitate the issue as they may not be entitled to the family pension benefits for the deceased employee.

5.Therefore, recording the aforesaid, this Court is inclined to dispose of this writ petition as no further orders can be passed. Accordingly, this Writ Petition is dismissed as abated. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Sgl

To

1. The Director of Local Fund Audit
Kuralagam, Chennai 600 108.
2. The Executive Officer,
Pallapatti Municipality
Pallapatti, Karur District.

+lcc to Mr.A.R.Nixon, Advocate, S.R.No.13115
+lcc to Mr.K.Magesh, Advocate, S.R.No.12825
+lcc to the Government Pleader, S.R.No.13216

सत्यमेव जयते

W.P.No.18895 of 2011

KV(CO)
CS/16/03/2021

WEB COPY