

IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D : 26.02.2021

C O R A M

The Hon'ble Mr. Justice **SENTHILKUMAR RAMAMOORTHY**

Writ Petition No.24892 of 2008

R.Subbammal

... Petitioner

Vs

1.The Chief Engineer and Engineer-in-Chief
Public Works Department,
Chepauk, Chennai -5.

2.The Accountant General(Pensions)
Chennai – 18.

3.The Superintending Engineer
Public Works Department,
Tirunelveli.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India,

praying to issue a Writ of Mandamus, directing the Respondents to count the services rendered by the Petitioner's husband in the Indian Army from 02.01.1945 to 07.01.1955 for the purpose of pensionary benefits and grant her all consequential benefits.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.G.K.Muthukumar
Spl. Government Pleader

ORDER

The Petitioner seeks a writ of mandamus to direct the Respondents to count the services rendered by the Petitioner's husband in the Indian Army from 02.01.1945 to 07.01.1955 for the purpose of pensionary benefits.

2. On account of the fact that the Petitioner was 75 years old when the writ petition was filed and would be about 87 years old as on date, I had directed the learned counsel for the Petitioner to ascertain whether the Petitioner is alive and report thereon to the Court. In spite of making several attempts to contact the Petitioner, the learned counsel for the Petitioner submits that he has been unable to establish contact with the Petitioner and is also unable to confirm whether she is alive as on date.

3. The learned Special Government Pleader submits that the Petitioner's representation for counting the aforesaid services of her husband

in the Indian Army could not be acted upon because certain documents were required for such purpose and such documents had not been provided.

4. In the circumstances, it is not possible to adjudicate this petition. Consequently, the writ petition is closed for want of instructions. However, it is made clear that it is open to the Petitioner to once again prosecute a petition canvassing the same grievance if so intended.

5. The writ petition is disposed of on the above terms. There will be no order as to costs.

26.02.2021

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To

1.The Chief Engineer and Engineer-in-Chief
Public Works Department,
Chepauk, Chennai -5.

2.The Accountant General(Pensions)
Chennai – 18.

3.The Superintending Engineer
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SENTHILKUMAR RAMAMOORTHY

J.,

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