



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2021

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.5551 of 2013

Maggie

... Petitioner

Vs.

- 1.The Director of Public Health and Preventive Medicine,
Anna Salai, Chennai.
- 2.The Joint Director of Public and Health Preventive Medicines,
Director of Medical Services,
Anna Salai,
Chennai.
- 3.The Deputy Director of Health and Services,
Virudhunagar,
Virudhunagar District.
- 4.The Circle Medical Officer,
R.Reddiyapatty,
Virudhunagar District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents to make payment for the recovery amount, retirement benefits of the petitioner's husband and to sanction family pension by virtue of the order passed by this Court in W.P.No.43394 of 2006 dated 03.04.2009.

For Petitioner : Mr.R.Ramasamy
For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

Heard Mr.R.Ramasamy, Learned Counsel for the Petitioner and Mr.M.Jayakumar, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. This Court during the earlier hearing on 17.04.2021 had passed the following self-explanatory order:-

"The Writ Petition has been filed for a direction to the Respondents to make payment of the amount recovered from the terminal benefits of the Petitioner's husband Kasinathan and sanction family pension as per the order dated 03.04.2009 in W.P.No.43394 of 2006 passed by this Court. Even before filing of the Writ Petition on



05.04.2013, it is seen from the proceedings of the Deputy Director of Health Services, Sivakasi, dated 05.03.2013 produced by the learned Additional Government Pleader that the Government of Tamil Nadu in G.O.ms.No.128 Health and Family Welfare(AB1) Departmental, dated 10.04.2012 has directed to implement the Order dated 03.04.2009 in W.P.No.43394 of 2006 passed by this Court by repaying the sum of Rs.2,61,240/- already recovered from the Death-cum-Retirement Gratuity of the said A.Kasinathan, Junior Assistant in the Office of the Deputy Director of Health Services, Virudhunagar, to his legal heirs and to waive the sum of Rs.4,739/- towards the balance amount claimed from him.

2. However, Learned counsel for the petitioner states that he is not aware of the said Government Order and the learned Additional Government Pleader informs that he would furnish it copy to the learned Counsel for the Petitioner's e-mail.

3. The Respondents shall file a report of the action taken pursuant to the said orders regarding payment made to the legal heirs of the said Kasinathan.

4. Post the matter on 28.04.2021."

3. In furtherance to the aforesaid order, Learned Additional Government Pleader had produced a copy of the proceedings dated 22.04.2021 in which it has been stated that a sum of Rs.2,61,240/- has been paid to the Petitioner which has been received by her on 26.04.2014 under written acknowledgement. Nothing remains for further consideration in the Writ Petition.

4. In the result, the Writ Petition is disposed. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ns/SRM

To

1.The Director of Public Health and Preventive Medicine,
Anna Salai, Chennai.

2.The Joint Director of Public and Health Preventive Medicines,
Directorate of Medical Services,
Anna Salai,
Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Deputy Director of Health and Services,
Virudhunagar,
Virudhunagar District.

4.The Circle Medical Officer,
R.Reddiyapatty,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-18090[F] dated 29/04/2021)

W.P. (MD) No.5551 of 2013

28.04.2021

GS (20.05.2021) 3P 6C