



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.8698 of 2019

and

W.M.P (MD)No.6757 of 2019

WEB COPY

N.Sobana

... Petitioner

vs.

1.The District Educational Officer,
Madurai District.

2.Sri Visalatchikarunai Mill High School,
Rep. through its Secretary,
Visalatchi Nagar,
Oomatchikulam,
Madurai - 625 014.

3.V.Nagarajan

... Respondents

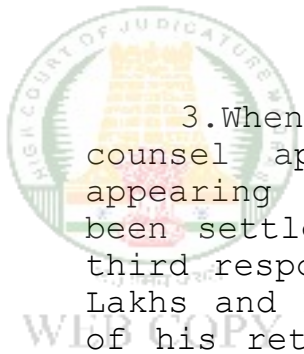
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to forbear the respondents 1 and 2 from disbursing the retirement benefits and other allowances to the third respondent and consequentially directing them to pay the petitioner a sum of Rs.2,61,000/- towards arrears of maintenance for 87 months from the month of January, 2012 till the month of March, 2019, as per the order, dated 09.10.2013 passed in M.C.No.80 of 2011, on the file of the Family Court, Madurai.

For Petitioner	: Mr.J.Barathan for Mr.T.R.Jeyapalam
For R - 1	: Mr.K.S.Selvaganesan Government Advocate
For R - 3	: Ms.B.Sudha Sathyananth

ORDER

The petitioner has filed the present Writ Petition, to forbear the respondents 1 and 2 from disbursing the retirement benefits and other allowances to the third respondent and to direct them to pay the petitioner a sum of Rs.2,61,000/- towards arrears of maintenance for 87 months from the month of January, 2012 till the month of March, 2019, as per the order, dated 09.10.2013, passed in M.C.No.80 of 2011, on the file of the Family Court, Madurai.

2.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the third respondent.



3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner and the learned counsel appearing for the third respondent submitted that the matter has been settled between the petitioner and the third respondent. The third respondent agreed to pay a sum of Rs.3,45,000/- (Rupees Three Lakhs and Forty Five Thousand Only) to the petitioner from and out of his retirement benefits. The petitioner agreed for disbursing the balance amount to the third respondent.

4. As per the direction of this Court, both the petitioner and the third respondent appeared before this Court through Video Conferencing and both the learned counsel appearing for the petitioner and the learned counsel appearing for the third respondent identified the petitioner and the third respondent. The learned counsel for the parties have filed compromise memo duly signed by the petitioner, the third respondent and their respective counsels. The petitioner and the third respondent also submitted that they agreed for compromise as per the compromise memo, dated 20.07.2021 and orders may be passed in terms of the compromise memo.

5. In view of the same, the said compromise memo, dated 20.07.2021, is recorded. The respondents 1 and 2 are directed to pay a sum of Rs.3,45,000/- (Rupees Three Lakhs and Forty Five Thousand Only) to the petitioner from and out of the retirement benefits payable to the third respondent and the balance amount of the retirement benefits to the third respondent.

6. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

1.The District Educational Officer,
Madurai District.

+1 CC to M/s.B.SUDHASATHIYANANTH, Advocate (SR-24898[F] dated
02/08/2021)

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-24900[F] dated
02/08/2021)

+1 CC to M/s.Special Government Pleader (SR-24945[F] dated
02/08/2021)

**W.P (MD) No. 8698 of 2019
30.07.2021**

RS (17.08.2021) 3P 5C