



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 02.02.2021**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

**AND**

**THE HONOURABLE MRS.JUSTICE S.KANNAMMAL**

**W.A(MD)No.215 of 2014**

**against**

**WP(MD)No.5323 of 2009**

Immakilate Shanthi

... Appellant/3<sup>rd</sup> Party

Vs.

1.P.Indira

...Respondent/Writ Petitioner

2.The District Elementary Educational Officer,  
Sethuraman Pillai Colony,  
Trichy.

3.The Assistant Elementary Educational Officer,  
Trichy West Region,  
Nandi Kovil Street, Theppakulam,  
Trichy - 2.

4.The Secretary and Correspondent,  
T.S.M. Elementary School, Varagai,  
Trichy - 8.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 10.10.2012 in W.P(MD)No.5323 of 2009.

Prayer in WP(MD). 5323/ 2009 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the second respondent in Na.Ka.No.220/A1/08 dated 28.4.2008 and quash the same as illegal and direct the respondents to disburse the retirement benefits such as DCRG, Commuted Value of pension, Special Provident Fund, Provident Fund, Encashment of Earned Leave and all other terminal retirement benefits which the petitioner is entitled on account of the superannuation on 31.5.2006 together with interest at the rate of 24% per annum on the said sum forthwith.



WEB COPY

For Appellant : Mr.S.Rajasekar  
For R-1 : Mr.R.Govindaraj  
For R-2 & R-3 : Mrs.S.Srimathy,  
Special Government Pleader

**JUDGMENT**

**(Judgment of the Court was delivered by  
PUSHPA SATHYANARAYANA, J.)**

The writ appeal is directed against the order dated 10.10.2012 passed in W.P(MD)No.5323 of 2009.

2. When the matter is taken up for hearing today, it is stated by the learned counsel appearing for the appellant that the appellant is a third party, who had a money dispute with the first respondent and that now, the dispute has been resolved and therefore, nothing survives for further adjudication in this writ appeal.

3. In view of the above, the writ appeal is dismissed as infructuous. No Costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

**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.

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



To:

1.The District Elementary Educational Officer,  
Sethuraman Pillai Colony,  
Trichy.

2.The Assistant Elementary Educational Officer,  
Trichy West Region,  
Nandi Kovil Street, Theppakulam,  
Trichy - 2.

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KM (16.02.2021) 3P 3C