



WEB COPY

W.P. (MD) No. 3421 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2021

C O R A M

THE HONOURABLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 3421 of 2014

and

M.P. (MD) No. 1 of 2014

and

M.P. (MD) No. 1 of 2015

R.Pitchai

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
School Education Department,
Fort St. George,
Secretariat,
Chennai-9.
- 2.The District Elementary Educational Officer,
Sivagangai,
Sivagangai District.
- 3.The Assistant Elementary Educational Officer,
Ilayankudi,
Sivagangai,
Sivagangai District.
- 4.The Assistant Treasury Officer,
Sub Treasury Office,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the Fourth Respondent herein vide Na.Ka.No.951/2013/A4, dated 23.12.2013 and quash the same as illegal and arbitrary and consequently to direct the respondents to pay pension without any adjustment/recovery and further to direct the respondents to return the already recovered pension to the petitioner as applicable within stipulated time.

For Petitioner : No appearance

For Respondents : Mr.D.Gandhiraj
Counsel for Government of
Tamil Nadu



O R D E R
(through Video Conference)

There is no representation on behalf of the Petitioner when the matter is called at 04.43 p.m.

2.Learned Counsel for the Respondents states that the Petitioner has expired on 02.06.2015 after the filing of the Writ Petition.

3.In view of the same, the Writ Petition is dismissed as abated with a clarification that the legal representatives of the deceased Petitioner are not precluded from applying for revival of the Writ Petition in the manner, if they are otherwise entitled in law. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Principal Secretary to Government,
School Education Department,
Fort St. George,
Secretariat, Chennai-9.
- 2.The District Elementary Educational Officer,
Sivagangai, Sivagangai District.
- 3.The Assistant Elementary Educational Officer,
Ilayankudi,
Sivagangai, Sivagangai District.
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