



WEB COPY

W.P.(MD).No.6291 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD) .No.6291 of 2014

and

M.P (MD) No.1 of 2014

S.Padmanabhan

... Petitioner

Vs.

1.The Principal Secretary/
Health and Sanitation Department
Secretariat,
Chennai-9.

2.The District Collector,
District Collectorate,
Erode.

3.The Joint Director,
District Headquarters Government Hospital,
Kumbakonam,
Thanjavur District.

... Respondents

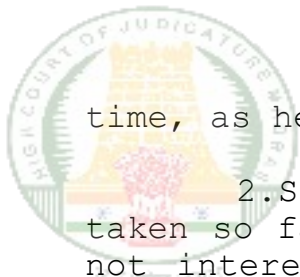
Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in connection with the impugned order in his proceedings Na.Ka.No.76506/2005/A2 dated 08.03.2014 and quash the same as illegal and arbitrary and consequently direct the 2nd respondent to deduct the loan due amount payable towards principal and interest from the retirement benefit of the petitioner through the 3rd respondent only as per Na.Ka.No.19178/2002/H3 dated 11.03.2002 without any penal charges and also direct the 3rd respondent to grant the remaining of the retirement benefits with interest to the petitioner within the stipulated period.

For Petitioner	:	Mr.Sathiyanathan for M/s.V.Achuthan
For Respondents	:	Mr.M.Lingadurai Government Advocate

ORDER

When the matter was listed on 02.09.2021, the learned Government Advocate appearing for the respondents submitted that the petitioner is no more. Therefore, this Court directed the petitioner to get instructions from the legal heirs of the deceased petitioner. However, the learned counsel appearing for the petitioner seeks

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time, as he is unable to get instructions.

2. Since the petitioner is no more and the steps have not been taken so far, it appears that the legal heirs of the petitioner are not interested to contest the case and no useful purpose will be served in keeping this writ petition pending. Hence, this Writ Petition is dismissed for non-prosecution. In case, the legal heirs of the deceased petitioner are inclined to come on record to prosecute the writ petition, they can file necessary and proper petition. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// 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/
Health and Sanitation Department
Secretariat,
Chennai-9.

2. The District Collector,
District Collectorate,
Erode.

3. The Joint Director,
District Headquarters Government Hospital,
Kumbakonam,
Thanjavur District.

+1 CC to M/s.SPL.GP (SR-30514[F] dated 28/09/2021)

W.P. (MD) .No.6291 of 2014

and

M.P (MD) No.1 of 2014

27.09.2021

SE (CO)

RS (07.10.2021) 2P 5C

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