



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM:

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) .No.20519 of 2021

G.Lakshmi

... Petitioner

Vs.

1. The Principal Accountant General
(Accounts & Entitlements), Tamil Nadu,
361, Anna Salai,
Teynampet,
Chennai-600 018.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Sattur,
Virudhunagar District.

4.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to disburse family pension and other related pensionary benefits due to the petitioner on account of the death of her husband Late T.Ganesan in the light of the third respondent proceedings in O.Mu.No.1/181/2020 dated 11.03.2020 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.C.Jeya Indira Patel

For Respondents : Mr.A.Kannan
Additional Government Pleader
for RR2 to 4
Ms.S.Mahalakshmi for R1



O R D E R

This writ petition has been filed praying for the issuance of a Writ of Mandamus, to direct the respondents to disburse family pension and other related pensionary benefits due to the petitioner on account of the death of her husband Late T.Ganesan, in the light of the third respondent proceedings in O.Mu.No.1/181/2020 dated 11.03.2020 within a stipulated time that may be fixed by this Court.

2. The learned counsel for the petitioner submits that the petitioner's husband namely Ganesan, who was working as Village Assistant, died on 20.11.2016. However, the terminal benefits and other benefits of the petitioner's husband have not been settled so far. Hence, this writ petition has been filed.

3. Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondent Nos.2 to 4 and M/s.Mahalakshmi, learned counsel takes notice for the respondent No.1.

4. The learned counsel for the respondents submits that the petitioner is the third wife of the deceased namely Ganesan and without asking the other two wives and their legal heirs, it is very difficult to settle the terminal benefits to this petitioner.

5. However, the learned counsel for the petitioner submits that the first wife of the deceased has given up her rights, which has also been recorded in the proceedings of Lok Adalat and the second wife had died.

6. Admittedly, this petitioner is the third wife of the deceased person and the first wife is alive. It is not known as to whether the marriage between the first wife and the deceased person is dissolved in the manner known to law. It is also not known who are all the other legal heirs of the first and second wives of the deceased person. Without verifying all these aspects, this Court is not inclined to issue any direction in this writ petition. Accordingly, this writ petition is dismissed with a liberty to the petitioner to file a fresh petition by impleading all the legal heirs. No costs.

Sd/-

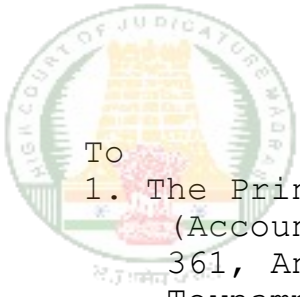
Assistant Registrar(Writs)

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/ /2021

Sub Assistant Registrar(CS)

ssb



To

1. The Principal Accountant General
(Accounts & Entitlements), Tamil Nadu,
361, Anna Salai,
Teynampet,
Chennai-600 018.

2. The District Collector,
Virudhunagar District,
Virudhunagar.

3. The Revenue Divisional Officer,
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4. The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

**Order made in
W.P. (MD) .No.20519 of 2021**

**Dated :
17.11.2021**

sr(CO)
TR/SKN(25.11.2021) 3P 5C