



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.21117 of 2017

and

W.M.P (MD)No.1875 of 2021

WEB COPY

Sivanu Thevar(died)

Mariammal

(Petitioner is impleaded vide
order dated 05.03.2021 in
M.P(MD)No.1875 of 2021)

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Ambasamuthiram Taluk,
Tirunelveli Distirct.

3.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli.

(R3 is impleaded vide Court order dated
20.12.2017 in W.M.p(MD)No.19804/17)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to forthwith settle the entire pensionary benefits to the petitioner and also to order for payment of monthly family pension to him on the basis of the order passed by this Court dated 20.04.2009 in W.P(MD)No.2596 of 2009 within the time stipulated by this Court.

For Petitioner : Mr.S.Sathiya Chidambaram

For Respondents : Mr.C.M.Marichelliah Prabhu

Additional Government Pleader

O R D E R

This writ petition is filed for a direction to the respondents to forthwith settle the entire pensionary benefits to the petitioner and also to order for payment of monthly family pension to him, on the basis of the order passed by this Court, dated 20.04.2009 in W.P(MD)No.2596 of 2009.



2.The case of the petitioner is that the petitioner was initially appointed as Thalayari on 25.05.1967 and his service was regularized from 01.06.1995 and thereafter, he was retired from service on 31.08.1995, on attaining the age of superannuation. After retirement, the family pension was not given to the petitioner, Hence, the petitioner has filed a Writ Petition in W.P (MD)No.2596 of 2009 before this Court and this Court vide order dated 20.04.2009, allowed the said writ petition and directed the respondents therein to settle the entire pensionary benefits to the petitioner. Pursuant to which, the petitioner has made several representations to the respondents. So far no order has been passed. Hence, the present writ petition is filed.

3.During the pendency of this Writ Petition, the writ petitioner has passed away and the legal representatives of the deceased writ petitioner represented the case.

4.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents to implement the order dated 20.04.2009 passed in W.P(MD)No.2596 of 2009.

5.The learned Additional Government Pleader appearing for the respondents did not dispute the submissions made by the learned counsel for the petitioner.

6.Considering the facts and circumstance of the case, this Court directs the respondents to implement the order dated 20.04.2009 passed in W.P(MD)No.2596 of 2009, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Tirunelveli District,

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



2.The Tahsildar,
Ambasamuthiram Taluk,
Tirunelveli Distirct.

3.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli.

+1 CC to SPL GP (SR-9476[F] dated 08/03/2021)

W.P. (MD)No.21117 of 2017

and

W.M.P (MD) No.1875 of 2021

05.03.2021

KM (09.04.2021) 3P 5C