



WEB COPY

W.P.No.4260 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4260 of 2019

Neelavathi

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Tiruvannamalai District.

2.The Thasildar,
Chengam Taluk,
Tiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to pay retirement benefits and family pension and other pensionary benefit of petitioner's husband by considering the petitioner's representation dated 27.01.2015 and 07.01.2019.

For Petitioner

: Ms.R.Madhu Bala

For Respondents

: Mr.T.K.Saravanan
Government Advocate



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W.P.No.4260 of 2



ORDER

The relief sought for in the present writ petition is to direct the respondents to pay retirement benefits and family pensions and other benefits based on the representation submitted by the writ petitioner.

2. The petitioner states that her husband was working as Village Assistant at Palamaruthur Village and found missing.

3. The learned Government Advocate appearing on behalf of the respondents brought to the notice of this Court that there was a dispute in the family and on that regard, a civil suit was filed in O.S.No.133 of 2018. During the pendency of the civil suit, the authorities are not in a position to settle the terminal and pensionary benefits.

4. This Court is of the considered opinion that during the pendency of the civil suit, the authorities cannot form an opinion regarding the eligibility of the writ petitioner for receiving all the pensionary benefits. Thus, the petitioner is at liberty to approach the competent authorities, after the disposal of the civil suit and after reaching finality in respect of the dispute.



5. With this liberty, the Writ Petition stands disposed of. No costs.

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28.11.2022

Jeni

Index : Yes / No

Speaking order / Non-speaking order

To

1.The District Collector,
District Collector Office,
Tiruvannamalai District.

2.The Thasildar,
Chengam Taluk,
Tiruvannamalai District.



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S.M.SUBRAMANIAM, J.

Jeni

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