



W.P.No.7786 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7786 of 2015

1.M.Uma Maheswari (Deceased)

2.Vedagiri

3.Sri Kaviya

4.Gayathri

[P2 to P4 substituted as Lrs of deceased sole petitioner vide order dated 04.08.2022 made in WMP.20384/2021 in W.P.7786/2015 by SMSJ]

...Petitioners

Vs.

1.The Secretary to
Government of Tamil Nadu,
Social Welfare Department,
Fort St. George,
Madras-600 009.

2.The Commissioner/Director of Social Welfare,
Chintadripet,
Chennai-600 002.

3.The District Project Officer,
Social Welfare Department,
Vellore.

4.The Child Welfare Project Officer,
Kaveripakkam,
Vellore District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records of the second respondent in Final Order Proceedings No.41909/Nir 5-3/2007 dated 25.08.2011 and quash the same.

For Petitioners : Mr.S.Mohan

For Respondents : Mr.P.Ganesan, AGP

ORDER

As against the order of punishment awarded by the second respondent dated 25.08.2011, the petitioner herein had preferred an appeal before the first respondent on 18.11.2011, which is said to be pending. The order of punishment dated 25.08.2011 awarded by the second respondent herein, is put under challenge in the present Writ Petition.

2. Heard Mr.S.Mohan, learned counsel appearing for the petitioners and Mr.P.Ganesan, learned Additional Government Pleader for the respondents.

3. Pending Writ Petition, the petitioner expired and is now substituted by her legal heirs, who are the petitioners 2 to 4 herein. The learned counsel for the petitioners submitted that they intend to



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continue with the appeal and therefore sought leave of this Court to grant liberty to file an application to substitute the legal heirs of the deceased employee in the appeal. The request seems to be reasonable.

4. In the light of the submissions made by the learned counsel for the petitioners, the petitioners 2 to 4 herein are granted liberty to approach the first respondent herein with an application seeking for substituting themselves as legal heirs of the deceased M.Uma Maheswari and on receipt of the same, the first respondent herein shall forthwith allow the application, preferably on the same day and thereafter, the first respondent shall consider the appeal on its own merits and pass appropriate orders in accordance with law, within a period of three months therefrom. The Writ Petition stands ordered accordingly. There shall be no orders as to costs.

26.10.2022

Index:Yes/No
Internet:Yes/No
Order : Speaking /Non-speaking

DP



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M.S.RAMESH,J.

DP

To

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