



W.P.(MD).No.12484 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.12484 of 2022

and

W.M.P(MD)Nos.8854 and 9653 of 2022

K.Priyadharshni

... Petitioner

Vs.

1.The Account General (Pension),
361, Anna Salai,
Teynampet,
Chennai-600 018.

2.The Sub Treasury Officer,
Sub Treasury,
Devakottai,
Sivagangai.

3.The Block Educational Officer,
Ramanagar,
Devakottai,
Sivagangai.

4.The HDFC Bank Ltd.,
(Housing Loan Division),
Represented by Authotized Signatory,
Pumping Station Road,
Madurai.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 to 3 to disburse pension amount of the petitioner's father namely T.Kannan in Virtue of the award of Lok Adalat in W.P.(MD).No.13558 of 2021 and W.P.(MD).No.18826 of 2017 and C.R.P.(MD).Nos.335 and 530 of 2021 passed by this Court dated 12.03.2022 within time stipulated and grant such other and further relief which this Court deems fit and proper in the circumstances of this case and thus render justice.

For Petitioner	: Mr.RM.Arun Swaminathan
For R-1	: Mr.P.Gunasekaran
For R-2 & R-3	: Mr.S.Shaji Bino, Special Government Pleader.
For R-4	: Mr.I.Pinaygash

ORDER

While the retired Government employee is alive, the petitioner herein, who is his daughter, seeks for disbursal of the retirement and pensionary benefits based on a Lok Adalat award. Such a claim is impermissible in law. Even the Writ Petition has been filed on the ground that there are certain matrimonial disputes between the employee and his family and therefore, the petitioner herein has sought for the retirement and pensionary benefits to be



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disbursed in her favour. Such a claim cannot be made either to the department or before this Court, when the retired employee, who had rendered 26 years of service, is alive. If at all either the petitioner is of the view that she is entitled for any monetary benefit, it is always open to her to approach the appropriate forum for such a relief and this Court will not be justified in permitting the daughter of the retired Government employee to get the retirement and pensionary benefits, when the Government employee is alive.

2. Since the petitioner has no *locus standi* to claim the retirement and pensionary benefits of her father, the Writ Petition stands dismissed. In view of the dismissal of the Writ Petition, the respondents shall forthwith disburse all the retirement and pensionary benefits, including monthly pension, to the Government employee, within a period of two (2) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22.08.2022

Index : Yes / No
Internet : Yes/ No
Lm



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M.S.RAMESH, J.

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