



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P. (MD)No.10451 of 2016

Muthammal

... Petitioner

VS

1. The District Forest Officer,
Madurai District,
Madurai.

2. Thangamuthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the first respondent from disbursing the retirement benefits to the second respondent without her knowledge, based on the petitioner's representation date 02.05.2016 made to the first respondent.

For Petitioner : Mr.K.Kannan
For Respondents : Mrs.D.Farjana Ghoushia for R1
Special Government Pleader
Died - R2

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, forbearing the first respondent from disbursing the retirement benefits to the second respondent without her knowledge, based on the petitioner's representation date 02.05.2016 made to the first respondent.

2. The brief facts of the case are that the second respondent is the father of the petitioner. The petitioner being a daughter seeking claim from her father, the retirement benefits.

3. The Court is of the considered opinion that this writ petition is totally misconceived. The petitioner ought to have preferred civil suit in the appropriate civil forum and there is no cause of action against the first respondent.



4. It is reported that the second respondent died on 17.05.2021. The petitioner is granted liberty to move the case before the appropriate forum by impleading necessary interest parties.

5. Hence, the Writ Petition is dismissed. No costs.

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Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

The District Forest Officer,
Madurai District,
Madurai.

+1 CC to M/s.K.KANNAN, Advocate (SR-8166[F] dated 23/02/2022)

+1 CC to M/s.SPL GP (SR-8316[F] dated 24/02/2022)

Order made in

W.P. (MD) No.10451 of 2016

23.02.2022

KG(CO)
GC(01.04.2022) 2P 4C