



WEB COPY



WP.No.32873/2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.07.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.32873/2016 & WMP.Nos.28412/2016 & 923/2017

K.M.Kalaivanan

... Petitioner

Versus

1.The Assistant Elementary Educational Officer
Hosur-635109.

2.The Director
Treasury & Accounts Department
Chennai 600 018.

3.The Assistant Treasury Officer
Sub Treasury, Hosur 635109.

...
Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records relating to the proceedings in Na.Ka.No.2062/A1/2016 dated 11.08.2016 on the file of the 3rd respondent and quash the same.

For Petitioner	:	Mr.S.Doraisamy
For Respondents	:	Mr.V.Nanmaran, AGP



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ORDER

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- (1) The petitioner, K.M.Kalaivanan, has unfortunately died on 27.09.2020 during the pendency of the writ petition.
- (2) The writ petition had been filed in the nature of a certiorari, calling for the records relating to the proceedings in Na.Ka.No.2062/A1/2016 dated 11.08.2016 of the 3rd respondent, Assistant Treasury Officer, Sub Treasury, Hosur and to quash the same.
- (3) By the said proceedings, a recovery was directed from the pensionary amounts payable to the deceased petitioner herein.
- (4) Learned Additional Government Pleader had forwarded copies of documents which show that the widow of the petitioner had addressed a letter to the respondents stating that the recovery may be effected from the pension amounts payable. It is seen that a sum of Rs.5,000/- had been remitted by the widow by way of challan on 27.11.2020. A sum of Rs.36,000/- had been recovered in LTA and a sum of Rs.46,316/- had been recovered in Family Pension arrears. It has therefore been certified that a total sum of Rs.87,316/- had been fully recovered. It is also stated that the Family Pension is now being paid



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to the widow of the petitioner herein.

(5) In view of these facts, though the learned counsel for the petitioner has requested a pass over, since the issue has been addressed, nothing further survives for adjudication in this writ petition.

(6) The writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.

(7)

20.07.2023

AP

Internet : Yes

To

1.The Assistant Elementary Educational Officer
Hosur-635109.

2.The Director
Treasury & Accounts Department
Chennai 600 018.

3.The Assistant Treasury Officer
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C.V.KARTHIKEYAN, J.,



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