



W.P(MD)No.9056 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9056 of 2023
and
W.M.P.(MD)No.8207 of 2023

P.Packia Lakshmi

... Petitioner

Vs.

1.The District of Child Development Programme,
Tharamani, Chennai.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The District Child Development Programme Officer,
Tirunelveli District, Tirunelveli.

4.The Child Development Programmed Officer,
Manur, Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to disburse the petitioner's retirement benefits and monthly pension.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.G.Suriyananth
Additional Government Pleader



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ORDER

Heard the learned counsel on either side.

2. The petitioner joined the Community Nutrition Centre, Aladipatti, Tirunelveli District as Assistant on 08.11.1993. She was implicated in Crime No.40 of 2011 following the unfortunate death of a child. The case of the prosecution was that the child met with the said fate on account of the petitioner's negligence. However, the child actually died in her house due to an accident and the petitioner was acquitted in C.C.No.61 of 2011 on the file of the Judicial Magistrate No. 3, Tirunelveli on 17.06.2014. The petitioner was in no way responsible for the death of the child. Her dismissal was a knee-jerk reaction to the incident. Except FIR, the authority had no other adverse material against the petitioner. Now that the criminal court had acquitted the petitioner, her dismissal order has to go.

3. In fact, this realization had already dawned on the respondents. The petitioner is entitled to retirement and terminal benefits. The third respondent is directed to process the petitioner's papers and submit an



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appropriate proposal within a period of three weeks and the respondents

1 & 2 are directed to pass final order within a period of eight weeks thereafter. All the retiral benefits and monetary benefits payable to the petitioner shall be disbursed within four weeks thereafter.

4. The Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

12.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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