



WEB COPY



W.P.No.8128 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2024

CORAM:

THE HON'BLE MR.JUSTICE BATTU DEVANAND

W.P.No.8128 of 2017

and

W.M.P.No.8903 of 2017

N.Bellu

...Petitioner

VS.

1.State of Tamil Nadu,
Represented by its Secretary,
Finance (Pension) Department,
Fort St.George,
Chennai – 600 009.

2.The Treasury Officer,
District Treasury Office,
Uthagamandalam,
Nilgiri District.

3.The Sub-Treasury Officer,
Connoor.

... Respondents

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the Recovery Proceedings of the 2nd respondent mentioned in Na.Ka.No.7757/2016/A1, dated 05.12.2016 and thereby direct the respondent to refund the attached excess payment of



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pension in P.P.O. No.C106658/Edn. with 18% interest to the petitioner and pass such other orders.

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This Writ Petition has been filed to declare the Recovery Proceedings of the 2nd respondent mentioned in Na.Ka.No.7757/2016/A1, dated 05.12.2016 and thereby direct the respondent to refund the attached excess payment of pension in P.P.O. No.C106658/Edn. with 18% interest to the petitioner.

2. When the matter is taken up hearing, the learned counsel appearing for the petitioner submitted that the sole petitioner died three (3) years back and the wife of the petitioner is getting the family pension. The learned counsel for the petitioner further submits that the legal heirs of the petitioner are not coming forward to prosecute this case.

3. In view of the fact that the sole petitioner is no more and the legal



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heirs are not coming forward to prosecute the case, it is appropriate to close this Writ Petition.

4. Accordingly, this Writ Petition is closed.
5. There shall be no order as to costs.
6. Consequently, connected miscellaneous petition is closed.

22.01.2024

gba
Index : Yes/No
Speaking order : Yes/No
To

1.State of Tamil Nadu,
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Finance (Pension) Department,
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Chennai – 600 009.

2.The Treasury Officer,
District Treasury Office,
Uthagamandalam,
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BATTU DEVANAND, J.

GBA

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