



W.P.No.7876 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM:

THE HONOURABLE MRS.JUSTICE N. MALA

W.P.No.7876 of 2016

M. Moidhunni

... Petitioner

Vs.

The Commissioner
Coimbatore City Municipal Corporation,
Coimbatore 641 001.

... Respondent

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus directing the respondent to disburse the Provident Fund, Special Provident Fund, Encashment of Earned leave and Encashment of Un-earned leave on private affairs and difference in extension pay (pension) to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.N.Umapathy
Standing Counsel



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondent to disburse the Provident Fund, Special Provident Fund, Encashment of Earned leave and Encashment of Un-earned leave on private affairs and difference in extension pay (pension) to the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner died on 25.04.2019 and as the legal heirs of the deceased petitioner were not impleaded the writ petition may be dismissed as abated, but with liberty to the legal heirs to give representation to the respondent. Further the respondent may be directed to consider the same within the time frame to be fixed by this Court.

3. The learned Standing Counsel appearing for the respondent has no objection for granting the liberty prayed for.

4. As the petitioner died and his legal heirs were not impleaded, the writ petition is dismissed as abated. In any event, the legal heirs of the deceased petitioner are given liberty to make a representation to the respondent along with the necessary documents for establishing their legal heirship, within a



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period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the respondent shall pass orders on merits and in accordance with law within a period of four weeks thereafter.

5. This Writ Petition is disposed of with the above observation and direction. No costs.

05.09.2024

dpq

Index : Yes /No

Speaking Order : Yes/No

To

The Commissioner
Coimbatore City Municipal Corporation,
Coimbatore 641 001.



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N. MALA, J.

dpq

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