



WP(MD)No.13483 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.13483 of 2022

C.Lakshmi

... Petitioner

Vs

**1.The Treasurer Officer,
District Treasurer Office,
Sivagangai,
Sivagangai District.**

**2.The Treasurer Officer,
Sub Treasurer Office,
Devakottai,
Sivagangai District.**

3.Thangammal

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 2nd respondent to disburse the retirement benefit amount of Rs.20,00,000/- (Twenty Lakh) to the petitioner to deposit with the 2nd respondent in the name of Chandra Wife of Chandrapandiyan claiming U/s 15(1) of Hindu Succession Act, 1956 by considering the petitioner's representation dated 02.11.2021.

For Petitioner : Mr.S.Pugalendhi

For Respondent : Mr.K.Balasubramani

Nos.1 and 2 Special Government Pleader



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ORDER

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The petitioner claims to be the sister of one Chandrapandian, who worked as a Village Administrative Officer, retired from service and subsequently died on 05.07.2015. Subsequently, the wife of the deceased employee was sanctioned with family pension. Subsequently she also died on 26.05.2021. It appears that there is some arrears payable to the wife of the deceased employee. The petitioner sister of the deceased employee has requested to disburse the said arrears to her and filed this writ petition for a mandamus to disburse the same to her on the ground that as the sister of the deceased employee she is entitled to receive the amount.

2.The learned Special Government Pleader appearing for the respondents submits that one Thangammal has made a similar request to them and the same is pending. Suppressing the claim of Thangammal, the petitioner had filed a suit as against the Tahsildar in OS.No.110 of 2022 on the file of the District Munsif Court, Thiruvadanai and got a compromise decree in the Lok Adalat on 10.04.2023. The petitioner has also filed a writ petition seeking a mandamus to give her a certificate as the legal heir of the deceased employee Chandrapandian. In that writ petition a specific stand



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was taken by the Tahsildar that the decree obtained in the Lok Adalat is not proper and it was in the absence of Thangammal, who is also claiming the arrears amount. Therefore, the said writ petition was disposed with liberty to the petitioner to file necessary application before the competent civil Court. The petitioner has subsequently filed a suit in OS.No.32 of 2024 arraying the said Thangammal as defendant, before the Sub Court, Ramanathapuram.

3.The petitioner is not entitled for the relief as sought for in the writ petition. Considering the subsequent suit filed by the petitioner, this writ petition is disposed of with liberty to the petitioner to workout her remedy in the suit in OS.No.32 of 2024 before the Sub Court, Ramanathapuram.
No costs.

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Internet : Yes / No
Index : Yes / No

DSK



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To

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Sivagangai District.



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B.PUGALENDHI.J.,

DSK

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