



WEB COPY

WP No. 44534 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 44534 of 2025

M.Janagi

Petitioner(s)

Vs

1. The Accountant General
474, Evr Periyar Maaligai, Anan Salai,
Nandanam, Chennai 600 035
- 2.The Managing Director
Directorate of Municipal Administration,
Santhome High Road, Chennai 600 028
- 3.The Assistant Director
Directorate Local Fund Audit,
Professor K. Anbazhagan Maaligai,
Nandanam, Chennai 600 035.
- 4.The Regional Director of
Municipal Administration,
Sri Krishna Rajendra Chatram Complex,
Arisipalayam, Salem 636 009.
- 5.The Commissioner,
Dharmapuri Municipality, Dharmapuri 636 701.

Respondent(s)

PRAYER: This writ petition has been filed under Article 226 of Constitution of India, to issue a writ of mandamus, directing the respondents 2 to 5 to resubmit the proposal to the 1st respondent to authorise the payment of the terminal benefits and the family pension payable to the petitioner from the date of death of her husband late P. Muthu on 18.12.2020 by expediting the process as per the order dated 17.11.2021 made in succession OP No. 2021 passed by the Learned Sub court, Dharmapuri.



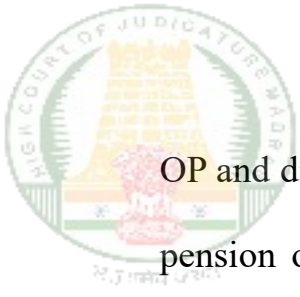
For Petitioner(s): Mr.N. Manoharan
For Respondent: Mr.C.Selvaraj, AGP RR2 to 5
Mr.P.Manorajan R1

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ORDER

This Writ Petition has been filed to direct the respondents 2 to 5 to resubmit the proposal to the 1st respondent to authorize the payment of the terminal benefits and the family pension payable to the petitioner from the date of death of her husband late P. Muthu on 18.12.2020 by expediting the process as per the order dated 17.11.2021 made in succession OP No. 2021 passed by the Learned Sub court, Dharmapuri.

2. It is the case of the petitioners that the petitioner's husband late Muthu was appointed as a sweeper on 06.04.1981 in the 5th respondent Municipality. The petitioner's husband late Muthu married one Santhi and it was dissolved by way of a release deed dated 04.01.1987. Late Muthu married the petitioner in the year 1989 and gave birth to 4 daughters. After 39 years of his service, her husband died on 18.12.2020. Now the petitioner is working as a sweeper in the 5th respondent Municipality. Petitioner along with her daughters filed succession OP.No.31 of 2021 before the learned Additional Sub Court, Dharmapuri under Section 372 of Indian Succession Act against on Shanthi and Lakshmi to issue a succession certificate for the purpose of getting family pension and other terminal benefits. The respondents therein had entered appearance and both the parties had entered into a settlement in IA.No.15 of 2021 under order 23 Rule 3 CPC. Pursuant to the said comprise, the Sub Court, Dharmapuri has allowed the

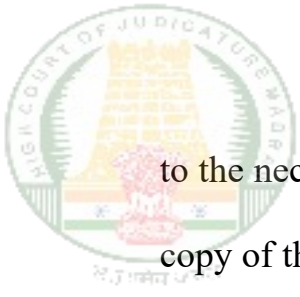


OP and direct the first petitioner therein/petitioner herein to receive the monthly pension of the deceased Muthu. However, without considering the same, the third respondent vide proceedings dated 20.06.2024 to the 5th respondent that the steps have been taken to get rectification order, after relaxing the pension rules. In view of inaction, the petitioner has issued a legal notice dated 21.08.2024 to the respondents 3 and 5. The 4th respondent has sent a communication dated 28.02.2025 informing the 5th respondent that steps have already been taken by requesting the second respondent to relax the pension Rules. However, no further developments have taken place. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to resubmit the proposal to the first respondent to authorize the payment of the terminal benefits and family pension payable to the petitioner.

4. Heard the learned counsel for both side and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this court directs the second respondent to pass orders on the petitioner's proposal after providing opportunity



to the necessary parties within a period of four weeks from the date of receipt of a copy of this order.

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7. With the above directions, the writ petition is disposed of. No costs

02-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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