

W.P.(MD)No.6212 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.6212 of 2023
and W.M.P(MD).No.13080 of 2024

S.B.Chandrakala

... Petitioner

Vs.,

- 1.The Secretary to Government,
Tamil Nadu Higher Education Department,
9th Floor, EVK Sambath Building,
College Road, Chennai 600 006.
- 2.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti, Tirunelveli District 627 012.
- 3.The Authorized Officer,
Centre for Marine Science & Technology,
Rajakkamangalam Post,
Kanyakumari District 629 501.

4.Annathurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to forbear the second respondent to grant retirement benefits to the petitioner's husband namely Annathurai who is working as field assistant with the third respondent office on the basis of her representation dated 13.10.2022.



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For Petitioner : Mr.P.T.Ramesh Raja
For Respondents : Mr.M.Siddarthan (for R1 & R3)
Additional Government Pleader
Mr.M.Mahaboob Athieff
Standing Counsel (for R2)
Mr.R.Murugappan (for R4)

ORDER

This writ petitioner has been filed forbearing the second respondent to grant retirement benefits to the petitioner's husband, namely, Annathurai, who is working as Field Assistant with the third respondent office on the basis of her representation dated 13.10.2022.

2. During the pendency of this Writ petition, the petitioner and the fourth respondent herein have filed a joint compromise memo, duly signed by the parties and their respective counsels, stating that the petitioner/wife and the respondent/husband intend to resolve the dispute between them after settling the issues amicably in the interest of both of them and in the interest of their daughter, namely, Divya, as per the terms and conditions mentioned in the compromise memo. The said compromise memo was placed on record. Accordingly, this Court order dated 02.06.2023, wherein the second respondent is restrained from disbursing the benefits to the fourth respondent, is vacated



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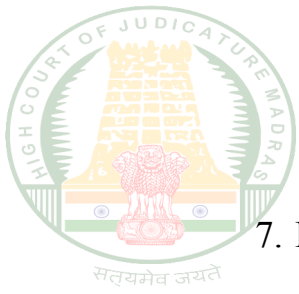
and the second respondent was directed to disburse all the terminal benefits, for which, the fourth respondent is entitled, on or before 08.04.2025. In compliance of the said order, all the terminal benefits, for which, the fourth respondent is entitled, have been disbursed to him, vide proceedings dated 25.04.2025 of the second respondent.

3. The learned counsel for the fourth respondent also accepted the same.

4. Now, it is clear that the fourth respondent has received all benefits from the second respondent and now, as per the memorandum of understanding entered between the petitioner and the fourth respondent, the fourth respondent has to strictly comply the terms and conditions of joint compromise memo.

5. The learned counsel appearing for the fourth respondent submits that his client will abide by the terms and condition of the joint compromise memo.

6. In view of the factual position, in my considered view, this Writ Petition is disposed of with the above observations.



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7. It is made clear that if the petitioner or the fourth respondent failed to fulfil the terms and conditions agreed by him in the joint compromise memo, he is liable for contempt proceedings under the provisions of Contempt of Court Act read with Article 215 of the Constitution of India.

No costs

Consequently, connected Miscellaneous Petition is closed.

28.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Rmk

To:

- 1.The Secretary to Government,
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9th Floor, EVK Sambath Building,
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- 2.The Authorized Officer,
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BATTU DEVANAND, J.

Rmk

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