



W.P.(MD).No.25316 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.25316 of 2025

and

W.M.P(MD)No.19859 of 2025

M.Muniyasamy

...Petitioner

Vs

1.The Commissioner,
Thoothukudi Corporation,
Thoothukudi District.

2.The Assistant Commissioner,
Thoothukudi North Region,
Thoothukudi Municipality,
Thoothukudi District.

3.M.Palaniyammal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order issued by the second respondent in the proceedings in Na.Ka.No.C1/1483/2024/௪௩.௩. dated 05.05.2025 and quash the same and consequently directing the respondents to disburse the petitioner retirement benefits within time stipulated by this Court.



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W.P.(MD).No.25316 of 2025

For Petitioner : Mr.C.Jeganathan
For R1 & R2 : Mr.N.Anandhakumar
Standing Counsel
For R3 : Mr.K.Jeyamohan

ORDER

This writ petition has been filed to quash the impugned order issued by the second respondent in the proceedings in Na.Ka.No.C1/1483/2024/61.10. dated 05.05.2025 and quash the same and consequently directing the respondents to disburse the petitioner retirement benefits within time stipulated by this Court.

2.The petitioner, who had been working as a Sweeper in the respondent Corporation, superannuated on 30.06.2024. However, the terminal benefits including pension have not been disbursed.

3.By the impugned communication, it had been indicated that the petitioner during the subsistence of his first marriage with the third respondent had got married again. It has also been indicated that there is a maintenance case filed by the third respondent is pending.



W.P.(MD).No.25316 of 2025

4.It is to be noted that the petitioner, being a retired employee, is entitled to receive his terminal benefits and pension on attaining the age of superannuation. The dispute raised by the third respondent claiming to be the first wife cannot stand in the way for disbursement of the terminal benefits and pension to the petitioner, who is still alive. The claim of the third respondent would arise only after the life time of the petitioner with regard to the family pension.

5.In such view of the matter, the impugned order is set aside and the respondents are directed to disburse the terminal benefits and pension to the petitioner as eligible to him within a period of 12 weeks from the date of receipt of a copy of this order.

6.In fine, the writ petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

04.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

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W.P.(MD).No.25316 of 2025

To:

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Thoothukudi District.

- 2.The Assistant Commissioner,
Thoothukudi North Region,
Thoothukudi Municipality,
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W.P.(MD).No.25316 of 2025

K.KUMARESH BABU, J.

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W.P.(MD).No.25316 of 2025

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