



WP.(MD)No.298 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.01.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.298 of 2026

M.Subbulakshmi

... Petitioner

Vs.

1.The Director of Municipal Administration,
Urban Local Bodies Office Complex,
MRC Nagar, Raja Annamalaipuram,
Santhome, Chennai-600 028.

2.The Director of Local Fund Audit,
Perasiriyar Ka.Anbazzhagan Mazhigai,
Nandanam, Chennai-600 035.

3.The Regional Joint Director of Municipal
Administration, Tirunelveli Post,
Tirunelveli District.

4.The Commissioner,
Kovilpatti Municipality,
Kovilpatti Post, Thoothukudi District.

5.The Commissioner,
Virudhunagar Municipality,
Virudhunganar Post,
Virudhunagar District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to pass order permitting the Petitioners husband Late. Mr.P.Mariappan to retire from service on 31.05.2023 on superannuation on abatement of pending disciplinary proceedings initiated in Charge Memo in Roc.No. 32324/2022/V2 dated 15.09.2023 by the 1st Respondent on the death of the petitioners husband Late. P.Mariappan on 15.10.2025 and to disburse the Pensionary benefits accrued to the petitioner, by considering the representation of the petitioner dated 12.12.2025, within the period that may be stipulated by this Court.

For Petitioner : Mr.K.Ponnaiah

For R1 to R3 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

For R4 & R5 : Mr.J.Parekh Kumar

ORDER

The petitioner has filed this writ petition seeking a direction to disburse the retirement benefits due to her husband by considering her representation dated 12.12.2025.



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2.The petitioner's husband one Mariappan, who served as Assistant in Sattur Municipality, was allowed to retire an attaining superannuation on 31.05.2023. However, he was allowed to retire with certain conditions that he is not entitled for the retirement benefits, pending disciplinary proceedings. Aggrieved by this condition, the petitioner's husband has filed a writ petition in WP.(MD)No.14076 of 2023. In the said writ petition, a representation was made that charge memo was issued as against the petitioner's husband on 15.09.2023 and enquiry was also completed. However, final order has not been passed by the disciplinary authority. In view of this submission, this Court by its order dated 25.10.2024 directed the first respondent/disciplinary authority to pass the final order based on the enquiry report submitted by the Commissioner, Kayalpattinam Municipality, within a period of 12 weeks from the date of receipt of copy of that order. The first respondent has not passed any orders as directed by this Court in WP.(MD)No.14076 of 2023 dated 25.10.2024. In



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the meantime, the petitioner's husband died on 15.10.2025. In these circumstances, the petitioner has submitted a representation seeking retirement benefits due to her husband and filed this writ petition seeking a direction to consider her representation and disburse the retirement benefits due to her husband.

3.The Government, vide G.O.(Ms)No.81 Human Resources Management(N) Department dated 04.08.2022 has prescribed certain time limit for finalization of disciplinary proceedings, wherein it has been stated that the disciplinary authority is expected to take a decision on receipt of the enquiry report, within a period of 10 days. In the case of the petitioner's husband, it was reported before this Court in WP.(MD)No.14076 of 2023 that the enquiry was conducted, even in the year 2023 and the report has also been submitted before the first respondent. Considering this submission, this Court has also issued a further direction to the first respondent to complete the proceedings within a period of 12 weeks from the date of receipt of copy of that order. The



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condition prescribed in G.O.(Ms)No.81 has not been complied and the direction issued by this Court has also not been complied with.

In these circumstances, the petitioner's husband died on 15.10.2025.

4.Since the delinquent has died pending disciplinary proceedings, the respondents have to take a call on the disbursement of retirement benefits due to the petitioner's husband. Therefore, this Court directs the first respondent to take a call on the representation of the petitioner and disburse the retirement benefits to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

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NCC : Yes/No
Index : Yes/No
Internet:Yes
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