

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.24182 of 2015
and M.P.No.1 of 2015

1. Tmt. R.Saraswathi
2. Minor R.Jayapriya
(R-2 represented by mother and
natural guardian,
R.Saraswathi (R-1))

... Petitioners

Vs.

1. Additional Principal
Chief Conservator of
Forests and Director,
Arignar Anna Zoological Park,
Vandaloor, Chennai - 600 048
2. Tmt. R.Arputham
3. Selvi. R.Sophia
4. Selvi R.Theboral
5. R.Yovan
6. Tmt. M.Annammal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to apportion the terminal benefits and family pension of the deceased, M.Ramalingam, between the petitioners and respondents 2 to 6 by considering the representations, dated 20.02.2015 and 23.07.2015 made by the first petitioner.

For Petitioners : Mr. C.Selvaraj, Sr. Counsel, for,
M/s. C.S.Associates

For Respondents : Mr. N.Inbanathan,
Govt. Advocate (Forest)

O R D E R

Admit. Mr.N.Inbanathan, learned Government Advocate (Forest), takes notice for respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners claim that the first petitioner got married to one Ramalingam and lived with him for more than twenty-three years and out of their wedlock, begot the second petitioner, namely, Minor

R.Jayapriya. It is stated by the petitioners that the first petitioner's husband died on 27.06.2014 and immediately, she sent a representation, dated 01.07.2014 praying for settlement of the terminal benefits. The first respondent, vide his communication, dated 24.10.2014, has stated that in the nomination form submitted by the husband of the first petitioner, either her name or the name of the second petitioner, find a place and also given the details of the terminal benefits.

3. In the meanwhile, the petitioners have also obtained a Legal Heir Certificate on 03.07.2015 and the first petitioner has submitted a representation, dated 23.07.2015 to the first respondent, praying for conferment of the terminal benefits and since no response is forthcoming, the petitioners have come forward to file this writ petition.

4. This Court heard the submissions of the learned counsel for the petitioners and Mr.N.Inbanathan, learned Government Advocate (Forest), who accepts notice on behalf of the respondents.

5. Though the petitioners prayed for the larger relief, this Court, without going into the merits of the claim projected by the petitioners, directs the first respondent to consider the first petitioner's representation, dated 23.07.2015, in accordance with law, after putting on notice to respondents 2 to 6 herein and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners as well as to respondents 2 to 6.

6. This writ petition is disposed of accordingly. No costs. Consequently, the connected MP is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

srk

To

1. Additional Principal Chief Conservator of Forests and Director,
Arignar Anna Zoological Park,
Vandaloor, Chennai - 600 048.

+1cc to M/s. C.S. Associates, Advocate, S.R.No.SR.41013
+1cc to the Government Pleader, S.R.No.40681

SV(CO)
EU(1/10/2015

W.P.No.24182 of 2015
& M.P.No.1 of 2015