

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.8.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24544 of 2015

Kanniammal

...Petitioner

-Vs-

- 1 The Secretary to the Government
Home Prohibition and Excise Department
Fort St George Chennai -09.
- 2 The Director of Fire and
Rescue Services 12 Rukmanilakshmipathy
Road Egmore Chennai-08.
- 3 The joint Director of Fire
and Rescue Services Northern Region No.1
Greams Road Thousand Light Chennai-08.
- 4 The Divisional Officer
Fire and Rescue Services Chennai Suburban
Division Ambathur Chennai.
- 5 The Station Officer
Fire and Rescue Services Ennore Station
Ennore Chennai

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents grant the petitioner all provident fund, gratuity, death-cum-retirement benefits, family pension and other monetary benefits of M. Duraisamy fireman and to appoint the petitioner son D. Prakash in service on compassionate grounds.

For Petitioner : Mr.P.Arumuga Rajan

For Respondent : Mr.S.Gunasekaran
Government Advocate

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner would state that her husband, namely, M.Duraisamy was appointed as a fireman in Fire and Rescue Services Department in the year 1985 and had rendered unblemished service. It is stated by the petitioner that her husband left the house on 12.11.1993 to his office. But, he never returned and inspite of best efforts, his whereabouts could not be traced. The petitioner in this regard has also lodged a complaint based on which H1 Ennore Police Station has registered the complaint in Cr.No.64/2003 under Section 'man missing' on 12.3.2003 and after thorough search and enquiry gave a certificate dated 19.5.2015 stating that the husband of the petitioner remains untraceable for nearly 10 years. The petitioner based on the said certificate submitted a representation dated 01.06.2015 praying for disbursement of provident fund, gratuity, death-cum-retirement benefits, family pension and other monetary benefits. Since no orders have been passed, the petitioner has come forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances of the case and without going into the merits of the same, permits the petitioner to submit one more representation to the respondents 2 to 5 by enclosing a copy of this order as well as copy of his earlier representation dated 01.06.2015 within a period of two weeks from the date of receipt of a copy of this order and the respondents 2 to 5 on receipt of the same are directed to consider the same and pass orders in accordance with law within a period of 8 weeks, thereafter and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

kua

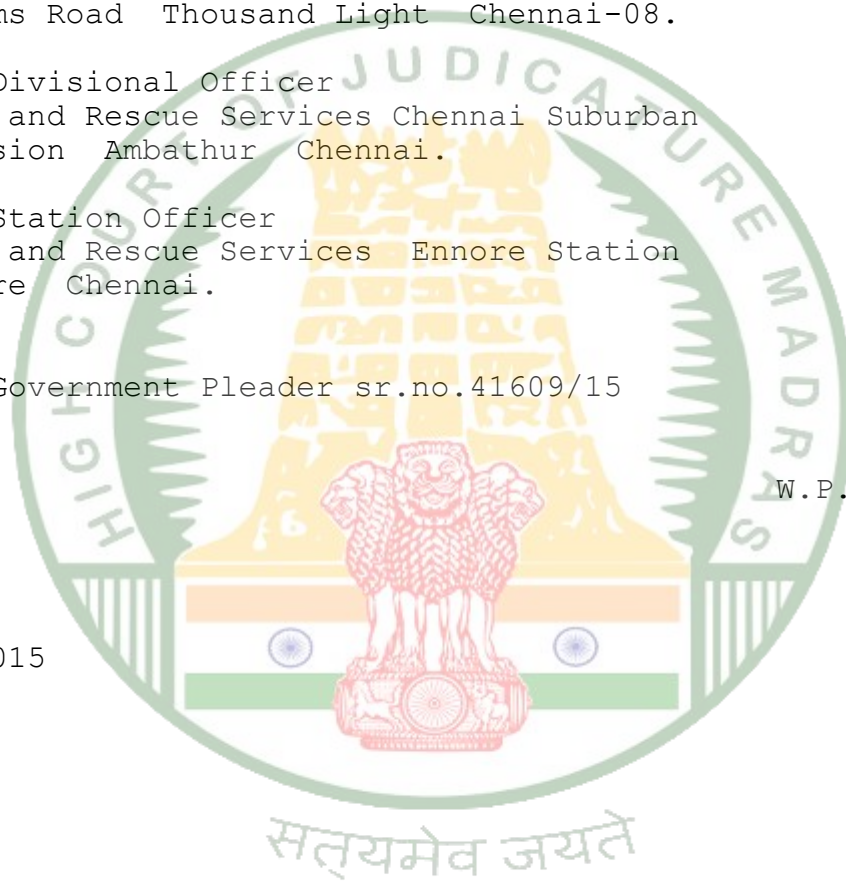
To

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+1 cc to Government Pleader sr.no.41609/15

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