

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28649 of 2015

1.

B.Nagalakshmi

... Petitioner

- Vs -

The Chairman,
Chennai Port Trust,
Rajaji Salai, Chennai 600 001.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 05.08.2014 and to grant the death benefits and retirement benefits of the petitioner's husband (Employee) Bakthavachalam (late) to the petitioner and also provide employment assistance to her son on compassionate grounds.

Petitioner : Dr.G.Krishnamurthy

For Respondent : Mr.M.Palanimuthu

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. The husband of the petitioner was initially serving in Madras Dock Labour Board as Mazdoor and on amalgamation with Chennai Port Trust [formerly known as Madras Port Trust], he became an employee of the Chennai Port Trust and he died on 31.01.1992, while he was in service, due to renal failure.

3. The grievance expressed by the petitioner is that though her husband died as early as on 31.01.1992, the family pension and other death benefits have not yet been paid and settled and her request for employment assistance on compassionate grounds has also not been considered. In this regard, she has submitted several representations to the respondent and last such representation was submitted on 05.08.2014. Since no orders have been passed, the petitioner came forward with this writ petition for appropriate relief.

4. Heard the submissions made by Dr.G.Krishnamurthy, the learned counsel appearing for the petitioner and Mr.Palanimuthu, the learned standing counsel who accepts notice for the respondent and also perused the records carefully.

5. Though the petitioner prayed for a positive direction, in the light of the facts and circumstances of the case, without going into the merits of the claim projected by the petitioner, this court directs respondent to consider the representation of the petitioner dated 05.08.2014 for settlement of death benefits and for employment assistance on compassionate grounds and pass appropriate orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

kmk

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

The Chairman,
Chennai Port Trust,
Rajaji Salai, Chennai 600 001.

+ 1 cc to Dr.G.Krishnamurthy, Advocate SR 49556

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