

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.21304 of 2015

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DATE: 10.07.2015

Between:

Guduguchinthala Rajeswaramma and another

...Petitioners

and

The State of Andhra Pradesh and others

...Respondents

COUNSEL FOR THE PETITIONERS : SRI MAHADEVA KANTHRIGALA

**COUNSEL FOR RESPONDENTS 1 to 3 : AGP FOR MEDICAL, HEALTH AND
FAMILY WELFARE**

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.21304 of 2015

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ORDER:

This Writ Petition is filed with the grievance that respondent No.3 has not been considering the representations of the petitioners for payment of death benefits to them pertaining to their brother, namely, G.Subramanyam, who died on 11.07.2010.

It is the pleaded case of the petitioners that the said G.Subramanyam worked as Operation Theatre Assistant in respondent No.4 hospital and died on 11.07.2010. That the deceased was not married and he has left behind his mother and the petitioners, who are his sisters. The petitioners have stated that their mother died on 05.02.2013 and that recently, they came to know that respondents 5 and 6 have made their claim to the death benefits of G.Subramanyam. That they have issued legal notice dated 13.06.2015 to respondents 2 to 4 and that despite the said legal notice, the said respondents are likely to pay the death benefits to respondents 5 and 6.

The facts pleaded by the petitioners raise two disputed questions as to whether the deceased G.Subramanyam was married and if so, whether respondents 5 and 6 were the legally wedded wives of the said deceased person. The further question as to whether the deceased has shown any person as nominee to receive the death benefits also needs to be decided.

It is stated, at the hearing, that respondent No.3 is the competent authority to release the death benefits. Therefore, respondent No.3 is directed to consider the grievance of the petitioners by holding an enquiry after giving notices to the petitioners as well as respondents 5 and 6. After such enquiry, respondent No.3 shall pass an appropriate order and communicate the same to both the parties within one month from the date of receipt of this order. If either party feels aggrieved by the decision taken by respondent No.3, they shall

be free to avail common law remedy of a civil suit.

The Writ Petition is accordingly disposed of.

As a sequel to disposal of writ petition, WPMP.No.27443 of 2015 filed by the petitioners for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

10th JULY, 2015.

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