

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.35373 of 2016

R.Kuppuraj

... Petitioner

Vs.

1 Commissioner
Coimbatore City Municipal Corporation
Coimbatore 641 001

2 Assistant Commissioner
South Zone - Kuniamuthur
Coimbatore City Municipal Corporation
Coimbatore 641 008

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the benefits Death Gratuity, Special Grade Award, Special P.F., Leave Salary, Family Pension to the petitioner.

For Petitioner : Mr.V.Gangatharan

For Respondents : Mr.J.Sathya Narayana Prasad

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to disburse the benefits viz., Death Gratuity, Special Grade Award, Special P.F., Leave Salary, Family Pension to him.

3. It is the case of the petitioner that his mother R.Lakshmi was a sanitary worker in Kuniamathur Municipality. While in service, she died on 23.11.2005 leaving behind the petitioner and his brother Siva and sister Nagamani. The petitioner's father Ramasamy, a retired sanitary worker, had also died on 18.1.2009. Immediately after the death of his mother, he made a representation to the respondent seeking compassionate appointment and other attendant benefits due to his mother. Further, he made another representation to the

respondents herein to disburse the benefits entitled to his mother. But, the same was not considered so far. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to give a detailed representation to the respondents along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the representation seeking disbursement of the benefits viz., Death Gratuity, Special Grade Award, Special P.F., Leave Salary, Family Pension and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

1 Commissioner
Coimbatore City Municipal Corporation
Coimbatore 641 001

2 Assistant Commissioner
South Zone - Kuniyamuthur
Coimbatore City Municipal Corporation
Coimbatore 641 008

+1cc to M/s J.Sathya Narayana Prasad, Advocate Sr.57567
+1cc to M/s V.Gangatharan, Advocate Sr.57468

W.P.No.35373 of 2016

SR(CO)
RVR 12/11/2016