

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

WRIT PETITION No.38007 of 2016

and WMP.No.32591/2016

R.Joicy Roach

... Petitioner

vs.

1. The Director & Superintendent,
Institute for Obstetrics & Gynaecology and
Hospital for Women and Children,
Halls Road, Egmore,
Chennai 600 008.
 2. The Accountant General (A & E),
Tamil Nadu,
Chennai 600 018.
 3. The Treasury Officer,
District Treasury,
Trichy 620 001.
- Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents herein to sanction and disburse the terminal and pensionary benefits on account of the demise of the petitioner's mother Mrs.Kulandai Theresa (20/10/2009), Staff Nurse of the 1st respondent, together with interest, within a time frame.

For Petitioner : M/s.G.Bala and Daisy
For R1 & R3 : Mr.K.Dhananjeyan,
Special Government Pleader
For R2 : Mr.V.Vijayashankar

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the respondents to sanction and disburse the terminal and pensionary benefits on account of the demise of her mother Mrs.Kulandai Theresa, Staff Nurse of the 1st respondent, together with interest, within a time frame.

2. According to the petitioner, her mother, who was working as a Staff Nurse in the 1st respondent's Hospital, died while in service on 20.10.2009 due to breast cancer, leaving behind the petitioner and her younger sister as her legal heirs. Her father also passed away eight years prior to the demise of her mother. Thereafter, the petitioner made several representations to the respondents seeking terminal and pensionary benefits of her mother and also for appointment on compassionate basis. Finally, the 2nd respondent sanctioned General Provident Fund in favour of the petitioner on 15.03.2013 vide proceedings No.GPF/X4/3/F.W. 572-2012/C4-53/2012-2013/DC-602/3588. But, the other terminal and pensionary benefits of the petitioner's mother have not been sanctioned to the petitioner so far. Hence, having no other alternative, the petitioner has approached this Court.

3. Learned counsel for the petitioner submitted that the petitioner's grievance would be redressed if the respondents are directed to consider the petitioner's representation within a stipulated time.

4. In view of the above, without expressing any opinion on the merits of the case, this Court directs the respondents to consider the petitioner's representation on merits and in accordance with law and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs. Consequently, connected W.M.P.No.32591 of 2016 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1. The Director & Superintendent,
Institute for Obstetrics & Gynaecology and
Hospital for Women and Children,
Halls Road, Egmore, Chennai 600 008.

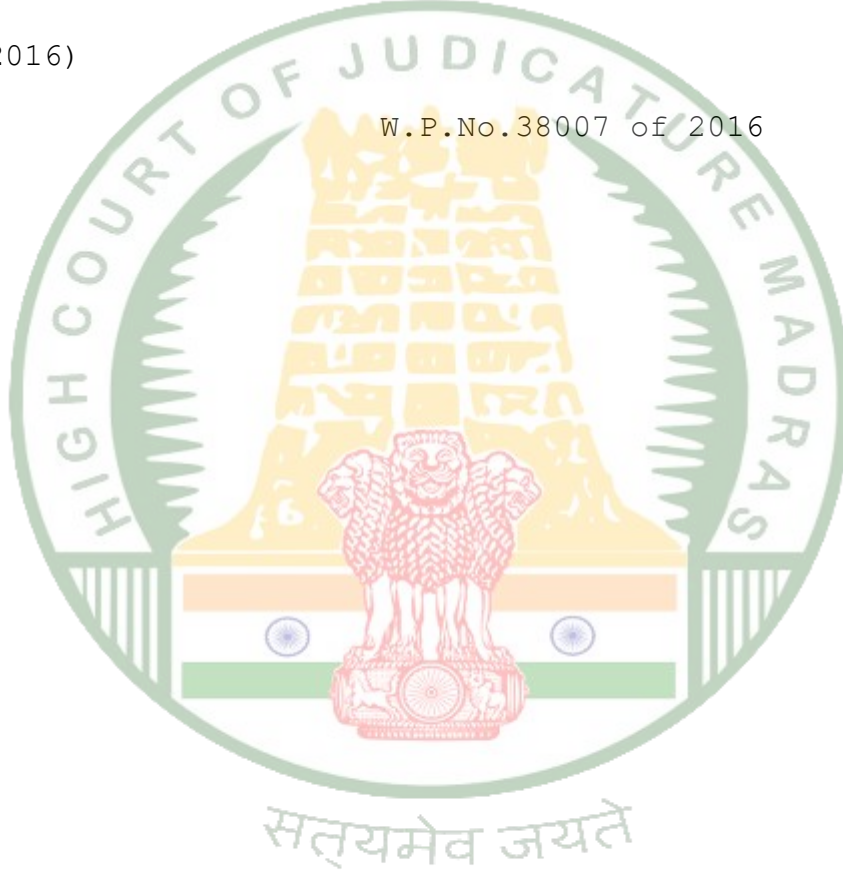
2. The Accountant General (A & E),
Tamil Nadu, Chennai 600 018.

3. The Treasury Officer,
District Treasury,
Trichy 620 001.

+1cc to Mr.G. Bala & Daisy, Advocate, S.R.No.63761
+1cc to Mr.V. Vijay, Advocate, S.R.No.64188
+1cc to the Government Pleader, S.R.No.64356

ssi (CO)
md(30/11/2016)

W.P.No.38007 of 2016



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