

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.20808 of 2016

ORDER

This writ petition was filed seeking to declare the action of the respondents in not releasing the death benefits of the husband of the petitioner, as arbitrary and illegal and to direct the respondents to provide dependent employment and other statutory benefits.

Damera Sammaiah, who was the husband of the petitioner, was appointed as Coal Filler on 13.10.1986 in the respondent-Company. Due to ill-health, he died on 10.2.1996 leaving behind him the petitioner, three daughters and two sons. After his death, the petitioner came to know that the 4th respondent vide proceedings dated 13.3.1997 removed her husband from the rolls of the employment and declared as dismissed from service. Thereafter, she submitted a representation on 16.12.1998 enclosing a copy of the death certificate seeking employment and also death benefits. On receipt of the said representation, the 4th respondent sent a letter dated 6.1.1999 to the

respondents 1 to 3 intimating that the order of removal was passed after the death of the husband of the petitioner. When no action was taken on the said representation, she submitted representations on various dates from 16.12.1998 to 9.5.2016, but no action has been taken so far. Hence, the present writ petition.

Even after granting sufficient time, the respondents have not filed any counter-affidavit.

In the circumstances, the Writ Petition is disposed of directing the respondents to consider the representation dated 9.5.2016 of the petitioner for payment of the death benefits of her husband, within a period of three months from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

23rd August, 2016

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