

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14023 of 2015

And

M.P.No.1 of 2015

A.Vijayalakshmi

... Petitioner

Vs.

- 1.State of Tamil Nadu rep., by
The Chief Engineer,
Tamil Nadu Electricity Board (TNEB),
No.144, Anna Salai,
R.R.Maligai,
Chennai-600 002.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board (TNEB),
Capper Hills,
Cuddalore-4.
- 3.The Junior Engineer,
Office of the Junior Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board (TNEB),
Varakalpattu-607 109.
- 4.The Chief Financial Controller/Accounts Branch,
Tamil Nadu Electricity Board (TNEB),
No.144, Anna Salai,
R.R.Maligai,
Chennai-600 002.
- 5.The Internal Audit Officer/Audit Branch,
Tamil Nadu Electricity Board (TNEB),
No.144, Anna Salai,
R.R.Maligai,
Chennai-600 002.

6.S.Arul

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 5 to consider and take appropriate action on the petitioner's representations dated 13.05.2010, 17.06.2010, 20.03.2015 and 06.04.2015, thereby direct them not

to disburse the entire monetary benefits to the sixth respondent in the event of his retirement.

For Petitioner : Mr.Prakash Adiapadam
For Respondents-1 to 5 : Mr.M.Fakkir Mohideen
For Respondent-6 : Mr.V.Govardhanan for
Mr.S.Dhakshnamoorthy.

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents 1 to 5 to consider the representations submitted by the writ petitioner on 13.05.2010, 17.06.2010, 20.03.2015 and 06.04.2015.

2. The learned counsel appearing for the writ petitioner submits that the writ petitioner claims to be the wife of the sixth respondent, however, the same is rebutted by the learned counsel appearing for the sixth respondent.

3. However, in respect of the settlement of service benefits, the employer has to settle it in favour of the employee, since the sixth respondent is the employee in this case, the service benefits can be settled to the employee in accordance with rules in force.

4. Thus, this Court cannot consider the case on merits, at this point of time, and the respondents have to consider the case in accordance with rules. Thus, without going into the merits of the matter, the second respondent is directed to consider the representations submitted by the writ petitioner and pass orders on merits in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Chief Engineer,
Tamil Nadu Electricity Board (TNEB),
No.144, Anna Salai,
R.R.Malligai, Chennai-600 002.

2.The Superintending Engineer,
Tamil Nadu Electricity Board (TNEB),
Capper Hills,
Cuddalore-4.

3.The Junior Engineer,
Office of the Junior Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board (TNEB),
Varakalpattu-607 109.

4.The Chief Financial Controller/Accounts Branch,
Tamil Nadu Electricity Board (TNEB),
No.144, Anna Salai,
R.R.Maligai,
Chennai-600 002.

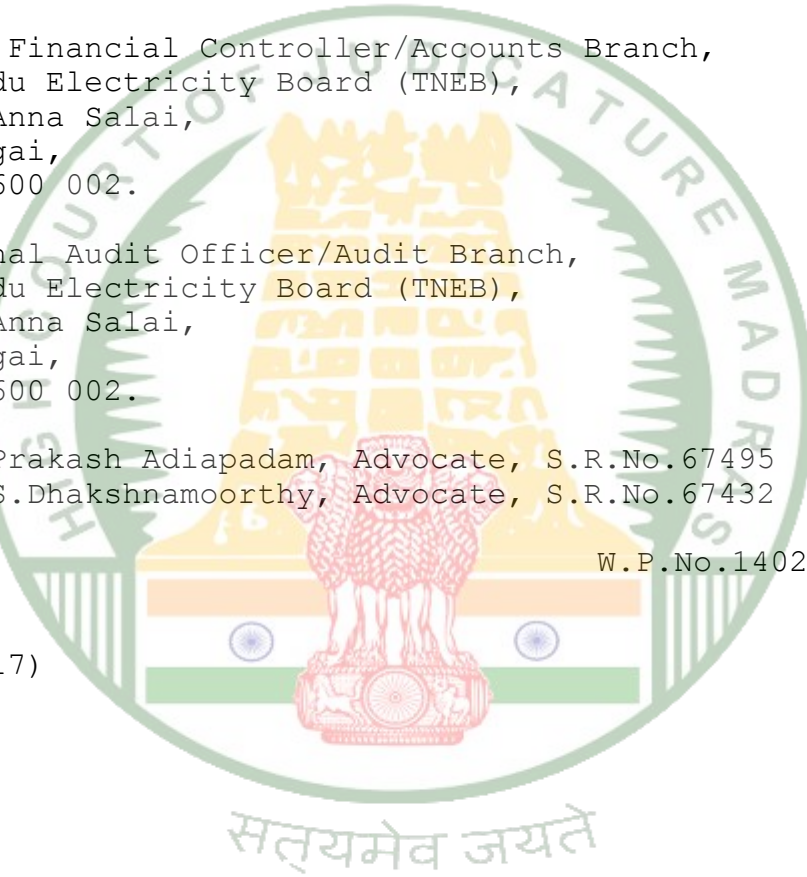
5.The Internal Audit Officer/Audit Branch,
Tamil Nadu Electricity Board (TNEB),
No.144, Anna Salai,
R.R.Maligai,
Chennai-600 002.

+1cc to Mr.Prakash Adiapadam, Advocate, S.R.No.67495

+1cc to Mr.S.Dhakshnamoorthy, Advocate, S.R.No.67432

W.P.No.14023 of 2015

NRI (CO)
GN(07/11/2017)



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