

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-11-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33330 of 2013

1.A.Natarajan
2.A.Kannappan

... Petitioners

-vs-

The Commissioner,
Salem Corporation,
Salem,
Salem District.

.. Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to disburse the death and other service benefits, including the Provident Fund, Special Provident fund, Earned Leave Fund, Gratuity along with interest to the petitioners.

For Petitioners - Mr.T.Ganesan

For Respondent - Mrs.K.Bhuvaneswari,
Government Advocate.

ORDER

The relief sought for in this writ petition is for a direction to direct the respondent to disburse the death and all other service benefits, including the Provident Fund, Special Provident fund, Earned

Leave Fund, Gratuity etc., along with interest to the writ petitioners.

2. The learned counsel appearing for the writ petitioners made a submission that the brother of the writ petitioners, Mr.Chinnappan was employed as a Watchman in Salem Corporation and passed away on 17.11.1998. The deceased brother of the writ petitioners, was a bachelor at the time of death and the parents of the writ petitioners were also no more. The other sisters of the writ petitioners have given no objection in favour of the writ petitioners to receive the benefits of their deceased brother late Mr.Chinnappan.

3. The learned counsel for the writ petitioners states that the respondent also has considered the claim of the writ petitioners for disbursing the terminal and other benefits in favour of the writ petitioners in proceedings dated 13.2.2012 and in proceedings dated 25.5.2012 respectively. In spite of the fact that the respondent has admitted the eligibility of the writ petitioners to receive the terminal benefits of their deceased brother, no action has been taken to disburse the benefits to the writ petitioners.

4. The respondent is unnecessarily prolonging the matter, without any valid reason and the writ petitioners have already submitted all the required documents to the respondent.

5. Under these circumstances, the respondent is directed to consider the representation dated 26.9.2012, submitted by the writ petitioners, and pass orders on merits and in accordance with law, considering the letters already sent by the respondent to the writ petitioners, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioners are directed to enclose the copy of the representation and all other required documents along with the order passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Speaking/Non speaking Order
Index : yes/no
Svn

06-11-2017

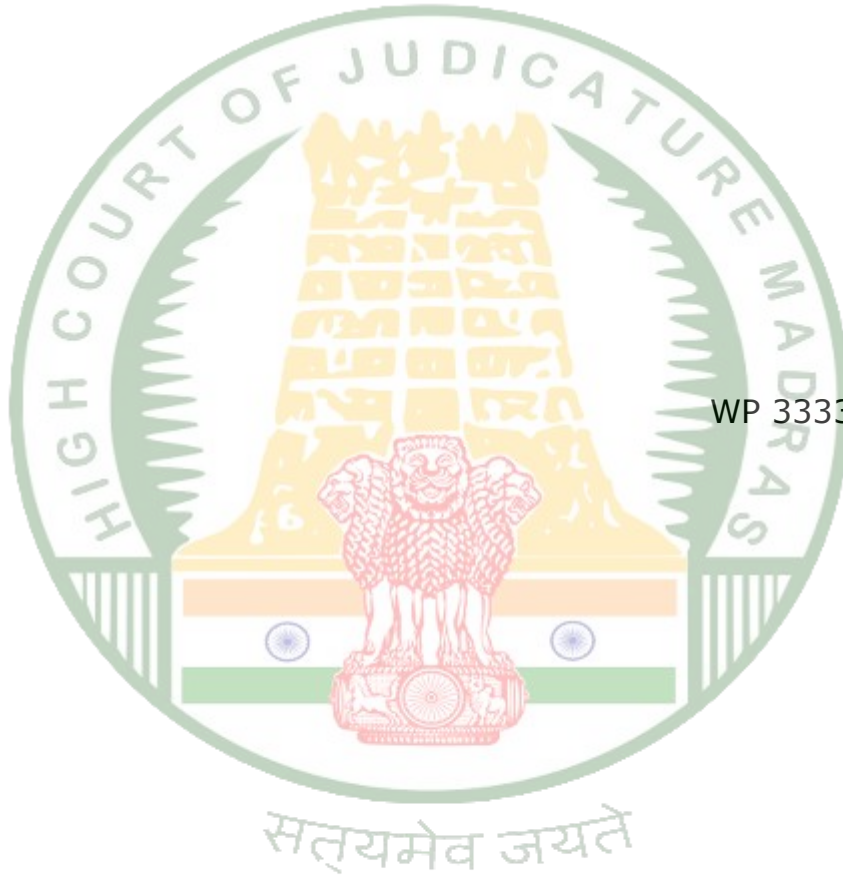
To

The Commissioner,
Salem Corporation,
Salem,
Salem District.

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S.M.SUBRAMANIAM, J.

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