



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.13035 of 2017

G.S.Ananthkumar

... Petitioner

-vs-

1. The Principal Accountant General,
Accountant General Office,
361, Anna Salai,
Teynampet,
Chennai-600 018.

2. The Chief Civil Surgeon and Medical Officer,
Government Hospital,
Aruppukkottai,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse death-cum-retirement benefits to the petitioner for the petitioner's adoptive mother Selvi.Lakshmi, who was died on 17.07.2013, while on duty in the 2nd Respondent Hospital by considering the petitioner's representation dated 13.04.2017.

For Petitioner	:	Mr.R.Murugappan
For R1	:	Mr.P.Gunasekaran
For R2	:	Mr.K.Guru
		Addl. Govt. Pleader

O R D E R

This Writ Petition has been filed, seeking a direction to the respondents to disburse death-cum-retirement benefits to the petitioner for the petitioner's adoptive mother Selvi.Lakshmi, who died on 17.07.2013, while on duty in the 2nd Respondent Hospital by considering the petitioner's representation dated 13.04.2017.

2. Heard the learned counsel appearing for the petitioner. The learned Additional Government Pleader takes notice for R2 and the learned Standing Counsel takes notice for R1. By consent the writ petition itself is taken up for final disposal at the



3. It is the case of the petitioner that he was adopted by his mother Lakshmi, who worked as Nurse and Superintendent in the 2nd respondent Hospital and died on 17.07.2013 while on duty, leaving behind her the petitioner as the sole legal heir and though he had produced sufficient materials for disbursement of her death and retirement benefits along with the representation dated 13.04.2017, the 2nd respondent neither passed any order on the representation nor released the benefits to him. Therefore, the petitioner is before this Court with the above prayer.

4. According to the learned counsel for the petitioner, the petitioner's claim for death-cum-other benefits has not been considered from 17.07.2013. Under such circumstances, to give quietus to the issue, this Court, without going into the merits of the matter, directs the 2nd respondent to consider the representation of the petitioner dated 13.04.2017 and pass appropriate orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, if the petitioner satisfies all other legal requirements.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To:

1. The Principal Accountant General,
Accountant General Office,
361, Anna Salai,
Teynampet,
Chennai-600 018.
2. The Chief Civil Surgeon and Medical Officer,
Government Hospital,
Aruppukkottai, Virudhunagar District.

+One cc to Mr.R.Murugappan, Advocate, SR.No.65721
+One cc to Mr.P.Gunasekaran, Advocate, SR.No.65704
+One cc to The Special Government Pleader, SR.No.65921
ar/rm

RL/6C/2P/KK/SARR/24/7/2017