



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2017

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.1691 of 2017

Manikandan

... Petitioner

-vs-

1. The District Collector,
Karur.

2. The Block Development Officer,
Krishnarayapuram Panchayat Union,
Krishnarayapuram,
Karur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to consider the petitioner's representations dated 04.11.2015 and 30.12.2016 and thereby sanction all the benefits including death benefit, which are all entitled to the petitioner's father, namely, Muuchsamy @ Muthusamy to the petitioner.

For Petitioner : Mr.J.Madhu
For Respondents : Mr.S.Sathish Kumar
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the 2nd respondent to consider the petitioner's representations dated 04.11.2015 and 30.12.2016 and thereby sanction all the benefits including death benefit, which are all entitled to the petitioner's father, namely, Muuchsamy @ Muthusamy to the petitioner.

2. According to the petitioner, his parents were employed as Sweepers in Sinthalavadi Union as regular employees for more than 20 years; that his father sustained injury on his leg and had been taking treatment as Out-Patient in Government Hospital, Karur; that on 27.09.2014, while he was travelling in a Train, he slipped down and died on the spot; that after his death, his mother and sister had filed affidavits, relinquishing their rights regarding death benefits of his father; that he made representations to the 1st and 2nd respondents for disbursement of the benefits, but there



is no positive response from them till now and hence, the petitioner is before this Court with the relief stated supra.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents, who would submit that the second respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

4. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representations dated 04.11.2015 and 30.12.2016, submitted by the petitioner and to pass appropriate orders thereon on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order, if there is no legal impediment to do so, after ascertaining the following, namely:

- a) number of legal heirs
- b) any relief claimed or suit is pending;
- c) the undertaking given by other legal heirs is genuine or not;
- d) service records of the employee and
- e) other issues, if any, that may crop in.

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

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Karur.
2. The Block Development Officer,
Krishnarayapuram Panchayat Union,
Krishnarayapuram, Karur District.

+1 cc to M/s.J.Madhu, Advocate in SR.No.5290/17

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CSL/JM/02.03.2017 : 2P/4C

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