

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2018

Coram

The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.32785 of 2017

D. Nagalakshmi

...Petitioner

Vs.

1. The Chief Educational Officer,
Tiruvallur - 602 001.
2. The District Educational Officer,
Ponneri, T.V. Puram,
Ponneri, Thiruvallur - 601 204.
3. The Head Master,
Sree Devi Karumariamman Devansathanam
Jeevarathanamal Higher Secondary School,
Thiruverkadu, Chennai - 600 077.Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to settle the terminal benefits such as gratuity, provident fund, commutation, leave salary of her husband with interest at the rate of 6% per annum by considering the representation of the petitioner dated 13.10.2017.

For Petitioner :Mr.M.Sridhar
For Respondents 1 and 2 :Mrs.P.Kavitha
Government Advocate
For Respondent-3 :Mr. N.V.N.Krishna

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O R D E R

Heard Mr.M.Sridhar, the learned counsel appearing for the petitioner, Mrs.P.Kavitha, the learned Government Advocate appearing for the respondents 1 and 2 and Mr.N.V.N.Krishna, the learned counsel appearing on behalf of the third respondent.

2. The grievance of the petitioner, in this case is that the terminal benefits of her husband have not been released in

spite of his entitlement. In this regard, she has already made representations to the first and second respondents on 13.10.2017. Since the representations evoked no response, this Writ Petition has been filed seeking a writ of mandamus to the respondents to take effective steps towards disbursement of the terminal benefits to the petitioner.

3. The learned Government Advocate for the respondents 1 and 2 submits that on receipt of the representation of the petitioner, the first respondent has directed the second respondent to take appropriate action on such representation and also called for a report from him in this regard. However, the learned Government Advocate points out that the petitioner has to make such representation before the third respondent/School, where, her husband rendered service, and the third respondent/School has to forward a proposal to the second respondent, and based on the same, the second respondent will act in accordance with law as expeditiously as possible.

4. The learned counsel appearing for the third respondent submits that if such representation is made by the petitioner, the third respondent would forward necessary proposal to the second respondent within one week.

5. Considering the aforesaid facts and the submissions made, the Writ Petition stands disposed of with a direction to the petitioner to make a representation, indicating the entitlement of her husband and the third respondent, on receipt of such representation, shall examine the same and submit a proposal to the second respondent within a period of 10 days thereof, so as to enable the second respondent to pass necessary orders towards release of such retiral benefits of her husband to the petitioner. It is also further observed that the second respondent shall take an informed and considered decision on the same within a period of two weeks on receipt of such proposal. No costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Chief Educational Officer,
Tiruvallur - 602 001.
2. The District Educational Officer,
Ponneri, T.V. Puram,
Ponneri, Thiruvallur - 601 204.
3. The Head Master,
Sree Devi Karumariamman Devasathanam
Jeevarathanamal Higher Secondary School,
Thiruverkadu, Chennai - 600 077.

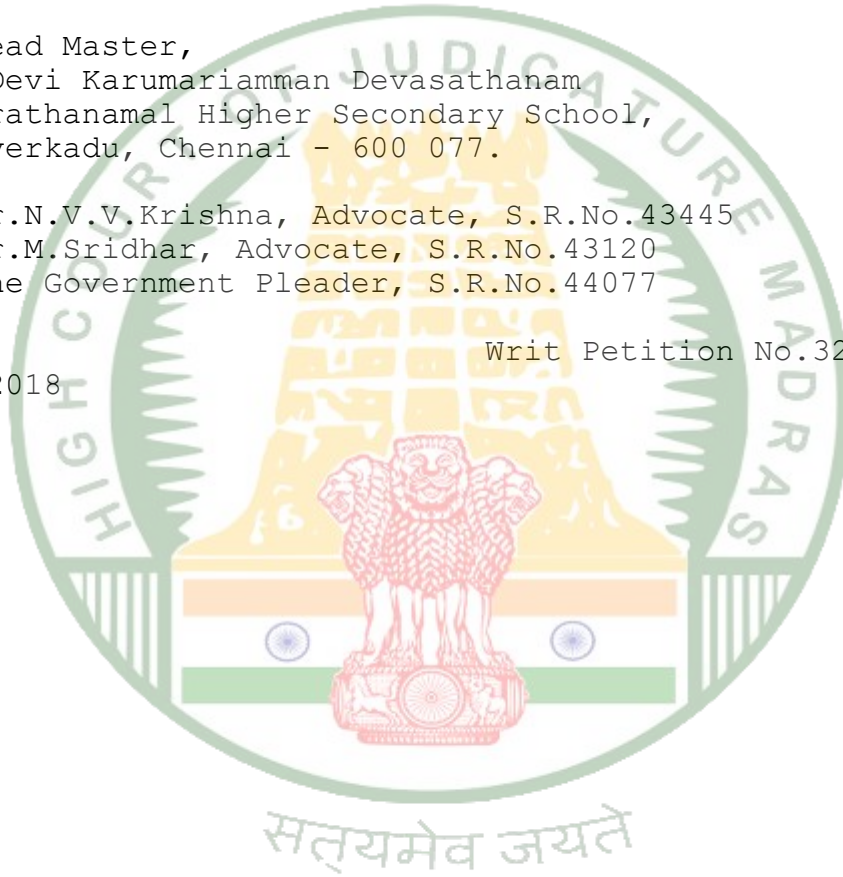
+1cc to Mr.N.V.V.Krishna, Advocate, S.R.No.43445

+1cc to Mr.M.Sridhar, Advocate, S.R.No.43120

+1cc to the Government Pleader, S.R.No.44077

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BM 18/07/2018



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