

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.09.2018

Coram

The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.22847 of 2018

Vijaya

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.

2. The Superintending Engineer,
No.35, Kodambakkam High Road,
Nungambakkam, Chennai - 600 034.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to pass order in order to protect the petitioner's livelihood by disposing the petitioner's representation dated 08.01.2018, within a stipulated time, as fixed by this Court.

For Petitioner : Mr.A.Kumanaraj
For Respondents : Mr.P.R.Dhilip Kumar
Standing Counsel rep. by
Mr.Santhana Krishnan

O R D E R

Heard, Mr.A.Kumanaraj, the learned counsel appearing for the petitioner and Mr.P.R.Dhilip Kumar, learned Standing Counsel represented by Mr.Santhana Krishnan, who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for disposal at the stage of admission.

2. The grievance of the petitioner, in this Writ Petition is against the inaction of the respondents in releasing the terminal benefits of her deceased husband, who died in harness while working as Mazdoor with the respondent, Tamil Nadu Electricity Board. The representation in this regard though made by the petitioner on 08.01.2018, but the same having not been attended to, as such, she has come to this Court challenging the inaction of the respondents, seeking a prayer to dispose of her representation in a time bound manner.

3. The learned counsel appearing for the petitioner, during the course of hearing on admission submits that the petitioner's husband, while working as Mazdoor with the respondents, died on 22.09.2016. Thereafter, she has made a representation for release of the terminal benefits, to which, her husband is entitled to, but the respondents having not addressed the same and communicated the decision to her, she has come to this Court filing this Writ Petition challenging such inaction of the respondents, as such, this Court may issue a writ of mandamus directing the respondents to dispose of her representation in accordance with law within a stipulated time.

4. Mr.P.R.Dhilip Kumar, who is the Standing Counsel for the respondents being represented by Mr.Santhana Krishnan, the learned counsel submits that since the aforesaid claim of the petitioner is disputed by the mother of the deceased employee, the representation has not been disposed of. However, it is submitted that the respondents shall have no objection to dispose of such representation by putting on a notice to the mother of the deceased employee within a stipulated period.

5. Considering the aforesaid facts and the submissions made, this Court, therefore, dispose of this Writ Petition at the stage of admission without seeking a reply affidavit, with a direction to the second respondent to take an informed and considered decision on the representation of the petitioner dated 08.01.2018, in accordance with law, but addressing the contesting claim in this regard by giving them notice on such claim of the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. However, it is made clear that this order should not be treated as a mandate of this Court to dispose of the representation in any particular manner. No costs.

sd

Sd/-d/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.

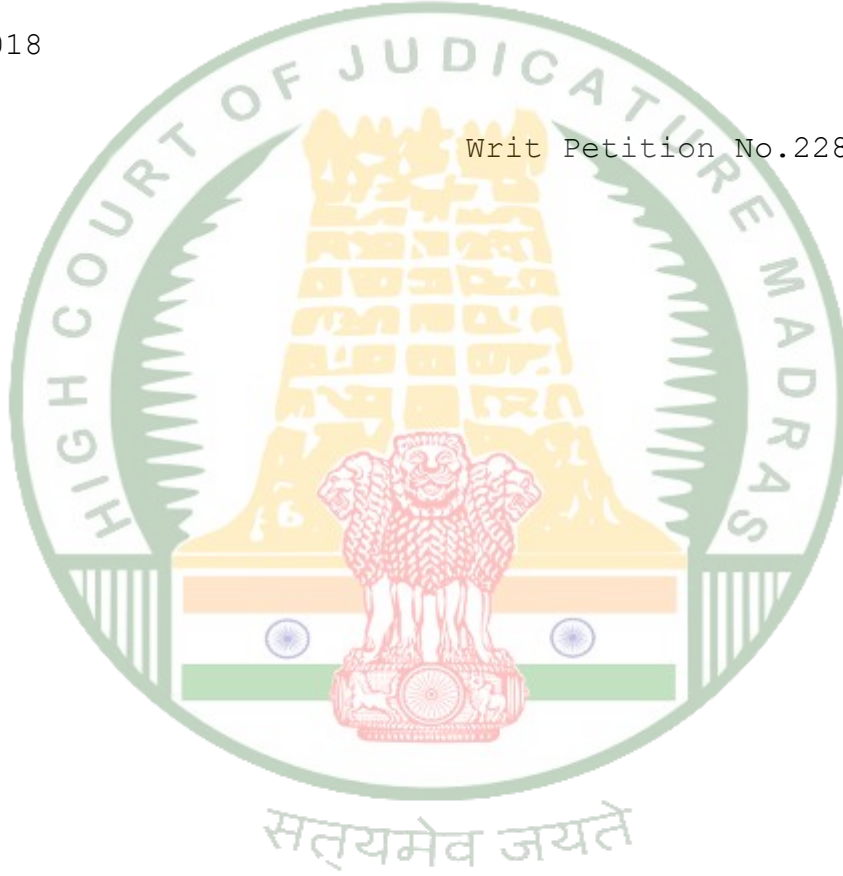
2. The Superintending Engineer,
No.35, Kodambakkam High Road,
Nungambakkam, Chennai - 600 034.

+lcc to Mr.A.Kumanaraj, Advocate SR.NO..61187

+lcc to Mr.P.R.Dhilipkumar, Advocate SR.NO.61210

sm:4.10.2018

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