

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2018

CORAM:

THE HON'BLE Dr. JUSTICE S.VIMALA

Writ Petition No.23203 of 2018
& WMP No.27105 of 2018

Mrs. K.Parimala

... Petitioner

vs

1 The Deputy Commissioner of Labour,
Government of Tamilnadu,
Sriperumbudur Kancheepuram Dt.

2 HYNDAI Motor company Ltd
Rep by its General Manager
Plot No.H-1 Sipcot Industrial Park
Irungattukottai Sriperumbudur
Kancheepuram Dt.602 117

3 Mrs.Shanmugapriya
D/o.G.Parthiban

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to hold enquiry into the petitioner's complaint dated 09.08.2018 in so far as it relates to the payment of the Terminal and death benefits Insurance Gratuity etc due and payable by the second respondent for the death of the Petitioner's husband Mr.Mohanasundaram (I.D.No.00870564 ASSY QC H-3) in the course of his employment with the second respondent and quantify the amount payable under various heads before disbursing the amount to any of the legal heirs or claimants of the deceased Mr.Mohanasundaram or insisting on a letter of full and final settlement from the petitioner.

For Petitioner	:M/s. Raja Kalifullah, Sr. Counsel, for, M/s. S.Rajpandyan
For Respondents	:Mr. N.Srinivasan, AGP., for R-1, M/s. J.Jayachitra, for R-3, Mr. D.Abdullah, for R-2

O R D E R

The petitioner's son, Mohanasundaram, who was employed in the second respondent company as Technician in the quality control department since 2007 died on 06.09.2017, i.e., within a period of seven days of his marriage. The marriage of Mohanasundaram with the third respondent herein took place on 31.08.2017. But Mohanasundaram died in the tragic road accident on 06.09.2017.

2. Earlier, there was an interse dispute between the Legal Representatives of Mohanasundaram, as to the sharing of the compensation amount on account of his death. Seeking directions to the second respondent as to the details of amount payable, the petitioner (mother of Mohanasundaram) filed this writ petition. The second respondent produced the details of the amount under various heads which are due to be paid to the Legal Representatives of the deceased.

3. It is submitted by the learned counsel appearing for both sides that the third respondent (wife) has already received her share of benefits; the mother (petitioner) and her husband (father of the deceased) are the two persons, who were yet to receive the benefits from the company / second respondent.

4. Today, the learned counsel appearing for the second respondent has produced cheques bearing Nos.272798, 272797, 272799, drawn at Standard Chatered Bank, (all) dated 31.10.2018, for Rs.6,00,000/-, 1,41,235/- and Rs.20,58,791/-, respectively, and also a cheque bearing No.152561, drawn at State Bank of India, Egmore Branch, dated 31.10.2018 for Rs.2,78,357/- in favour of the petitioner. The learned counsel has also produced a cheque bearing No.152562, dated 31.10.2018, drawn at State Bank of India, Egmore Branch, for Rs.2,78,357/- in favour of the petitioner's husband (father of the deceased).

5. The petitioner and her husband are present, in person, before this Court. They have received the said cheques today across the table from the learned counsel representing the second respondent.

6. In view of the above, no further orders are necessary in this writ petition and hence, this writ petition is closed. Consequently, the connected WMP is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

srk

To

1 The Deputy commissioner of Labour,
Government of Tamilnadu,
Sriperumbudur Kancheepuram Dt.

+1 cc to Mr.K.Arun Prasad, Advocate Sr.No.75601

+1 cc to Mr.D.Abdullah, Advocate Sr.No.76080

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CA(CO)
CSL/07.12.2018



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