

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM

THE HON'BLE MR.JUSTICE SATRUGHANA PUJAHARI

WRIT PETITION NO.16956 OF 2018

Tmt. R.Lakshmi

...Petitioner

Vs.

1. The District Collector,
Vellore District, Vellore-9.
 2. The Block Development Officer,
O/o. Block Development Office,
Arcot, Vellore District.
 3. The Panchayat Secretary,
Keezhakuppam Village Panchayat,
Keezhakuppam Village, Wallajah Taluk,
Vellore
-Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 14.12.2017, for regularizing the petitioner's husband service and furnishing monetary benefits, family pension, including 5 months salary.

For Petitioner : Mr.G. Anabayachoyan

For Respondent : Mr.V.Kadhirvelu
Special Government Pleader

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O R D E R

Heard Mr.G. Anabayachoyan, the learned counsel appearing for the petitioner and Mr.V.Kadhirvelu, the learned Special Government Pleader appearing on behalf of the respondents.

2. The grievance of the petitioner, in this Writ Petition is that her husband died in harness while serving as Panchayat Secretary in the third respondent/Panchayat, at Keezhakuppam

Village, in Walajah Taluk, Vellore. Even though, he had served 20 years before his death, but his service was neither regularized nor the terminal benefits, which would have accrued on his regularization been given to her, inspite of a representation made to the respondents 1 and 2 in this regard datesback 14.12.2017. Feeling aggrieved by such inaction on the part of the respondents, she came forward to file this Writ Petition seeking a direction to the respondents to consider such representation in a time bound manner.

3. No counter affidavit has been filed by the respondents, but, the learned Special Government Pleader appearing on behalf of the respondents sought for an adjournment for filing counter affidavit. However, considering the nature of relief sought for by the petitioner, this Court is not inclined to adjourn the case further, seeking for counter/reply affidavit and proceeds to dispose of the same, inasmuch as, no prejudice is going to be caused to the third respondent by granting the relief sought for by the petitioner, in the absence of the counter affidavit. In such premises, the learned Special Government Pleader for the respondents submits that, if such representation is pending, the same shall be considered by the respondents in accordance with law within the reasonable period, as stipulated by this Court.

4. Regard been had to the aforesaid facts and the submissions made, therefore, this Court, disposes of this Writ Petition with a direction to the first respondent/District Collector to consider the representation of the petitioner, dated 14.12.2017 made with regard to the regularization of service of her deceased husband and also release all the consequential benefits, to which, he was entitled to in accordance with law within a period of six weeks from the date of receipt of a copy of this order, if no other legal impediment is there. However, it is made clear that this direction should not construed as expression of any opinion on the merit of the representation of the petitioner, in any manner. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Vellore District, Vellore-9.
2. The Block Development Officer,
O/o. Block Development Office,
Arcot, Vellore District.
3. The Panchayat Secretary,
Keezhakuppam Village Panchayat,
Keezhakuppam Village, Wallajah Taluk,
Vellore

+1cc to Mr.G. Anabayachoyan, Advocate sr.no.49679

Writ Petition No.16956 of 2018

nr 31/08/2018



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