



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.8941 of 2018

N.Meyyan

... Petitioner

-vs-

1. The Director,
Local Fund Audit Department,
4th Floor, Kuralagam,
Chennai - 600 001.

2. The Assistant Director,
Department of Town Panchayat,
Collectorate,
Trichy - 1.

3. The Executive Officer,
Lalgudi Town Panchayat,
Lalgudi,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the respondents to disburse the Death cum Retirement Benefits and other monetary benefits such as Family Provident Fund, Gratuity, Arrears of Pension and Insurance amount payable to the Petitioner's deceased father namely, Nallu Chetti in the light of the order passed by the learned Additional District Munsif Court, Lalgudi in SOP.No.4/2004 dated 04.04.2008 with interest within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to disburse the Death cum Retirement Benefits and other monetary benefits, such as, Family Provident Fund, Gratuity, Arrears of Pension and Insurance amount payable to the Petitioner's deceased father, namely, Nallu Chetti, in the light of the order passed by the Additional District Munsif



Court, Lalgudi, in S.O.P.No.4 of 2004 dated 04.04.2008 with interest within the time limit that may be stipulated by this Court.

2. Heard Mr.G.Thalaimutharasu, learned Counsel appearing for the petitioner as well as Mr.D.Muruganantham, learned Additional Government Pleader, who takes notice for the respondents.

3. The learned Counsel for the petitioner would submit that the retiral benefits of the petitioner's deceased father, who was a Government servant, were not yet disbursed, though a judicial order was passed in S.O.P.No.4/2004 dated 04.04.2008, by the Additional District Munsif Court, Lalgudi. He would further submit that in this regard, though several representations have been made on 17.01.2012, 18.03.2013 and lastly on 07.09.2015, so far, nothing was forthcoming from the respondents. Therefore, the petitioner is before this Court.

4. The learned Counsel for the petitioner would submit that if the said representation of the petitioner, especially, the last representation dated 07.09.2015 is directed to be considered by the respondents and an order to that effect is directed to be passed within a time frame that may be stipulated by this Court, the petitioner would be satisfied.

5. The learned Additional Government Pleader appearing for the respondents would submit that the respondents would pass orders on the representation of the petitioner, especially, on the last representation dated 07.09.2015, on merits, within the time frame to be stipulated by this Court.

6. Considering the said submissions made by both sides, this writ petition is disposed of, with the consent of both sides at the admission stage itself, with the following direction:

The respondents are directed to consider the request of the petitioner, by way of representations from 17.01.2012 and last such representation dated 07.09.2015 and pass orders, on merits and in accordance with law, by taking into account the judgment passed in S.O.P.No.4/2004 dated 04.04.2008 of the learned Additional District Munsif, Lalgudi, within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar



1. The Additional District Munsif, Lalgudi.

2. The Director,
Local Fund Audit Department,
4th Floor, Kuralagam,
Chennai - 600 001.

3. Assistant Director,
Department of Town Panchayat,
Collectorate,
Trichy - 1.

4. The Executive Officer,
Lalgudi Town Panchayat,
Lalgudi,
Trichy District.

+ 1 cc TO The Special Government Pleader in SR No. 63110

gk

AE/SV MMS/SAR2/07.05.2018/3P/6C

W.P. (MD) No. 8941 of 2018
23.04.2018