



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.06.2018
CORAM :
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.12326 of 2018

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Vellaiammal

... Petitioner

Vs.

1.The Senior Accounts Officer,
Office of the Principal Accountant General (A&E)
Teyampet, Chennai - 18.

2.The Superintendent of Engineer,
Trichy/Metro EDC/Trichy,
T.N.E.B. Complex, Kamarajar building,
Mannarpuram, Trichy District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the terminal benefits of deceased Vellaisamy worked as a line inspector AE/O&M/SMPT Trichy to the petitioner as per the nomination within a stipulated period of time that may be fixed by this Court.

For Petitioner : Mr.S.Siva Ilayaraja

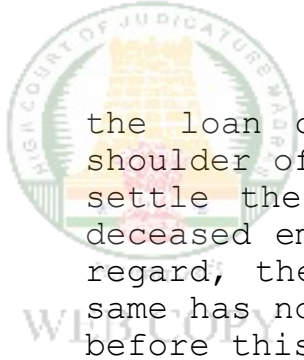
For Respondent : Mr.P.Gunasekaran for R1
Mr.Balasubramanian for R2

ORDER

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondents to settle the terminal benefits of deceased Vellaisamy worked as a line inspector AE/O&M/SMPT Trichy to the petitioner as per the nomination within a stipulated period of time that may be fixed by this Court.

2.Heard Mr.S.Siva Ilayaraja, learned counsel for the petitioner and Mr.P.Gunasekaran, learned counsel for the first respondent and Mr.Balasubramanian, learned counsel for the second respondent.

3.The learned counsel appearing for the petitioner would submit that the petitioner's husband was working as Line Inspector at the second respondent organisation and he died on 13.09.2017. For the said deceased employee, the petitioner being the wife, two sons and the deceased mother are the legal heirs. The two sons, according to the petitioner, after having married are living separately. Along with them, the mother of the deceased also is residing. The petitioner is the lone person and he is living separately. However,



the loan commitments of the deceased employee now rest with the shoulder of the petitioner and therefore, the petitioner in order to settle the same, wanted the death cum retirement benefits of the deceased employee, who is the husband of the petitioner and in this regard, the petitioner had given representation on 25.04.2018. The same has not so far been considered and therefore, the petitioner is before this Court.

4.The learned counsel for the petitioner would submit that if the said representation given by the petitioner is directed to be considered by the respondent, especially by the second respondent, the petitioner would be satisfied.

5.I have heard the learned counsel appearing for the respondent in this regard, who would submit that the petitioner's representation dated 25.04.2018 would be considered, of course, after giving opportunity to all the legal heirs of the deceased employee and an order to that effect would be passed, within a time frame.

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

"The second respondent is directed to consider the representation of the petitioner dated 25.04.2018 on merits and in accordance with law, after giving opportunity to both the petitioner as well as the other legal heirs of the deceased employee i.e. two sons and mother of the deceased and after completing the exercise, necessary order shall be passed by the second respondent within a period of eight weeks from the date of receipt of a copy of this order."

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Senior Accounts Officer,
Office of the Principal Accountant General (A&E)
Teyampet, Chennai - 18.

2.The Superintendent of Engineer,
Trichy/Metro EDC/Trichy,
T.N.E.B. Complex, Kamarajar building,
Mannarapuram, Trichy District.



+1CC to Mr.S.Siva Ilayaraja, Advocate, SR.No.67542

+1CC to Mr.P.Gunasekaran, Advocate, SR.No.68063

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