



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.5670 of 2014

and

M.P(MD)No.1 of 2014

WEB COPY

P.Lakshmi @ Mahalakshmi

.. Petitioner

Vs.

1. The General Manager,
Southern Railway,
Railway House,
Chennai.

2. The Divisional Officer,
Southern Railway,
Madurai Division,
Madurai.

3. Vasantha Rani,
Assistant,
Tamil Nadu Electricity Board,
Palanganatham,
Madurai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents 1 and 2 to consider the Petitioner's name and her two children's names as legal heirs of the Petitioner's deceased husband Paranjothi and thereby settle all the death and other monetary benefits to them and consider one of the Petitioner's son's name for compassionate appointment based on her representation dated 17.12.2013.

For Petitioner : Mr.S.Muthalraj

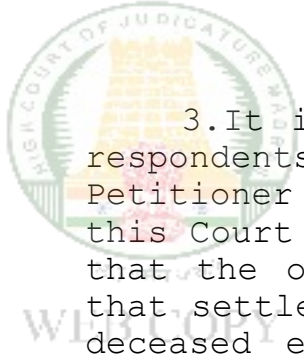
For Respondents : Mr.A.Uthamar

1 and 2

For Respondent-3 : Mr.P.Velmurugan

O R D E R

This Writ Petition has been filed, for issuance of a writ of Mandamus, directing the respondents 1 and 2 to consider the Petitioner's name and her two children's names as legal heirs of the Petitioner's deceased husband Paranjothi and thereby settle all the death and other monetary benefits to them and consider one of the Petitioner's son's name for compassionate appointment based on her representation, dated 17.12.2013.



3.It is represented by the learned counsel appearing for the respondents 1 and 2 that the representation submitted by the Petitioner on 17.12.2013 has already been disposed of. But however, this Court is inclined to dispose of the Writ Petition on the ground that the order passed by the Southern Railway on 8.3.2014 stating that settlement dues will be paid as per the nomination made by the deceased employee to his wife Vasantha Devi and her unmarried daughter P.Monika Devi. Since it is a dispute with reference to service benefits payable to the first wife or second wife of the deceased employee, the remedy lies only before the Central Administrative Tribunal and not before this Court. Hence this Court cannot entertain such Writ Petition.

6.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The General Manager,
Southern Railway,
Railway House,
Chennai.
2. The Divisional Officer,
Southern Railway,
Madurai Division,
Madurai.

+1cc to Mr.S.Muthalraj, Advocate Sr.No.79778
+1cc to Mr.P.Velmurugan, Advocate Sr.No.79413

vsn

VB/SV/SAR2/17.09.2018/2P/5C

W.P.(MD) No.5670 of 2014
and
M.P(MD)No.1 of 2014
21.08.2018