



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.20518 of 2018

WEB COPY

A.Inbarani

.. Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Director,
Local Fund Audit Department,
Esplanade, Kuralagam,
Chennai - 600 108.

3.The Commissioner for
Municipal Administration,
Chepauk, Chennai-5.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the first respondent to sanction service benefits and pensionary benefits of Petitioner's husband Ammasi, son of Petchimuthu, who was working as the Sanitary Worker in the respondent Local Body.

For Petitioner : Mr.M.A.Abdul Muthalif

For Respondent-1 : Mr.R.Murali

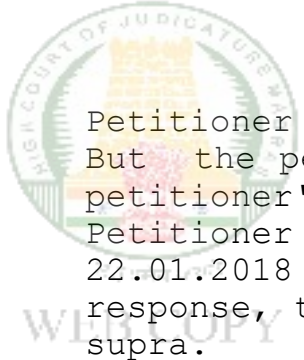
For Respondents : Mr.R.Sethuraman,
2 and 3 Special Government Pleader

O R D E R

This Writ Petition has been filed,for issuance of a writ of Mandamus, directing the first respondent to sanction service benefits and pensionary benefits of Petitioner's husband Ammasi, son of Petchimuthu, who was working as the Sanitary Worker in the respondent Local Body.

2.Mr.R.Murali, learned counsel takes notice for the first respondent and Mr.R.Sethuraman, learned Special Government Pleader takes notice for the respondents 2 and 3. By consent of both parties, the main Writ Petition is taken up for final disposal at the stage of admission itself.

3.The case of the Petitioner is that the Petitioner's husband P.Ammas, who was working as Sweeper died on 9.12.2007 and hence the



Petitioner herein was granted appointment on compassionate grounds. But the pensionary and retirement benefits due to the death of the petitioner's husband has not been paid till date. Hence the Petitioner has made a representation to the first respondent on 22.01.2018. Since the said representation did not evoke any response, the petitioner is before this Court with the relief stated supra.

4. The counsel for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner and pass orders therein in accordance with law, within the time stipulated by this Court.

5. In view of the above submission, the respondent concerned is directed to consider the representation of the petitioner, dated 22.1.2018 and to pass appropriate orders on the same in accordance with the law, within a period of two months from the date of receipt of a copy of this order. While considering the representation of the Petitioner, the authorities shall also consider the delay in making the claim and if the Petitioner is otherwise found eligible to get the pensionary and terminal benefits, the Petitioner is not entitled to the interest accrued on the same.

6. With the above directions, the Writ Petition is disposed of. No costs.

Sd/
Assistant Registrar (AD-I)

/True copy/

Sub Assistant Registrar (CS-II)

To:

1. The Commissioner,
Madurai Corporation,
Madurai.

2. The Director,
Local Fund Audit Department,
Esplanade, Kuralagam,
Chennai - 600 108.

3. The Commissioner for
Municipal Administration,
Chepauk, Chennai-5.

+1cc to Mr. R. Murali, Advocate, SR.No. 87408

+1cc to M/s. Special Government Pleader, SR.No. 87566

W.P. (MD) No. 20518 of 2018
27.09.2018

VSN