

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 19.09.2018****CORAM:****THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN****W.P. (MD) No.19989 of 2018****WEB COPY**

Thavamani

... Petitioner

Vs.

1. The Assistant Director of Town Panchayat,
Office of Director of Town Panchayat,
Madurai Division, Madurai.

2. The Executive Officer,
Town Panchayat,
Paravai, Madurai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to issue gratuity amount of the petitioner's father (deceased) by considering the petitioner's representation dated 25.08.2018.

For Petitioner : Mr.V.Alageshkumar

For R1 : Mr.M.Pandiarajan
Additional Government Pleader

For R2 : Mr.M.Rajarajan

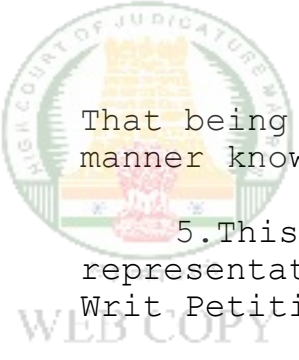
ORDER

This Writ Petition has been filed to direct the respondents to issue gratuity amount of the petitioner's father by considering the petitioner's representation dated 25.08.2018.

2.The learned counsel appearing for the petitioner would submit that the petitioner's father, after 29 years of service, died in harness on 17.12.1992. Except gratuity amount, all other benefits were paid. Therefore, he prayed for payment of gratuity amount of the petitioner's father.

3.The petitioner has come forward before this Court, after 18 years with the prayer that the representation of the petitioner has got to be considered. It is revealed from the very legal heir certificate, which is produced by the petitioner that there is more than one legal heir. But the petitioner alone has come forward with this special petition.

4.Even otherwise, the prayer sought for by the petitioner cannot be granted as the Gratuity Act is applicable to the establishment and the petitioner needs to establish the case before the appropriate forum by letting in oral and documentary evidence.



That being the case, the petitioner shall work out her remedy in the manner known to law, before the appropriate forum.

5. This Court time and again has observed that disposal of the representation is not final to the litigation. In the result, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Assistant Director of Town Panchayat,
Office of Director of Town Panchayat,
Madurai Division,
Madurai.
2. The Executive Officer,
Town Panchayat,
Paravai,
Madurai District.

+1cc to Mr.V.Alageshkumar, Advocate Sr.No.85516
+1cc to The Spl. Government Pleader Sr.No.85179

GNS

VB/BK/SAR1/30.11.2018/2P/5C

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