

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.24267 of 2018

Date: 19.07.2018

Between:

Smt. Ponugoti Anantharavamma, w/o. late P.Laxmikantharao,
Aged 80 years, occu: Household, r/o. Flat No.203, Om Sri Sivsai
Nivas, seethe Homes, Near Sri Chaitanya Techno School,
Meerpet, Saroornagar Mandal, RR District, Hyderabad.

.....Petitioner

and

Union of India, rep.by its Secretary, Ministry of Communication
Department of Posts, Samchar Bhavan, New Delhi and others.

..... Respondents



This Court made the following:

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ORDER:

Petitioner is the mother of late Pongupati Venkata Nagabushanam, who worked as Accountant in Postal Department. Late Nuthalapati Venkata Laxmi Padmavathi (NVL Padmavathi) is the wife of late P.Venkata Nagabushanam and daughter-in-law of petitioner, who worked in Sorting Section of the Postal Department. Late P.Saisree is the daughter of late Nagabushanam and grand daughter of the petitioner. According to petitioner, P.Venkata Nagabushanam, NVL Padmavathi and P.Saisree died on 16.06.2013 in floods in Uttarakhand, leaving behind the petitioner as the sole surviving successor. According to petitioner, she was granted succession certificate in OP No.44 of 2016 on the file of Court of Principal Senior Civil Judge, Ranga Reddy district. Accordingly, all amounts lying in various savings bank accounts, LICs, and other policies were paid to her. Further case of petitioner is, all death benefits of her son were released. The grievance of petitioner is against not releasing the terminal benefits accrued to the account of her daughter-in-law late, NVL Padmavathi, such as, General Provident Fund, Death Gratuity, un-utilized Earned Leave Salary, Central Employment Employee General Insurance Saving Fund and other benefits. Alleging inaction even though several representations were made, this writ petition is filed.

2. As noted above, daughter-in-law of petitioner was an employee in Postal Department. The grievance of petitioner is against not settling terminal benefits accrued to the account of her daughter-in-law. Thus, what is agitated in the writ petition is

service grievance. As late Padmavathi was an employee of Central Government, the remedy for redressal of service grievance has to be agitated in the Central Administrative Tribunal constituted under the Administrative Tribunals Act, 1985.

3. As held by the Supreme Court in **L.Chandra Kumar v. Union of India and others**¹, Central Administrative Tribunal is the Court of first instance and an aggrieved person has to invoke jurisdiction of Central Administrative Tribunal for redressal of grievance and cannot directly institute writ petition before this Court. Writ petition is not maintainable and it is accordingly dismissed, leaving it open to petitioner to work out her remedies as available under the Administrative Tribunals Act, 1985. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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¹ (1997) 3 SCC 261

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