

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18724 of 2019

Rajammal

... Petitioner

Vs.

1.The Commissioner of Municipal Administration,
Chepauk,
Chennai - 05.

2.The Regional Director of Municipal Administration,
J.G.Nagar, 1st Street,
Kumaranandhapuram,
Tirupur.

3.The Municipality Commissioner,
Municipality Office,
Puliyampatti,
Tirupur District.

4.Murugayyal

.... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to release the terminal benefits of petitioner's son late Arumugam the permanent employee of the 3rd respondents to the petitioner herein being the sole surviving legal heir.

For Petitioner : Mr.M.Roshan Atiq

For Respondents: Mr.R.S.Selvam for R1 and R2
Government Advocate
Mr.A.S.Thambuswamy for R3

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to release the terminal benefits of petitioner's son late Arumugam the permanent employee of the third respondent to the petitioner being the sole surviving legal heir.

2.Heard the arguments advanced on either side.

3.For non-settling of the terminal benefits due to the petitioner's husband, the present writ petition has been filed.

4.The learned counsel appearing for the third respondent produced a copy of the letter dated 22.10.2019 from the third respondent addressed to the second respondent, wherein it is stated that the following amounts were settled in favour of the petitioner by way of cheques:

'(i) a sum of Rs.13,008/- towards earned leave and a sum of Rs.70,950/- towards un-earned leave (cheque bearing no.285093 dated 06.07.2019 drawn from the Bharatha State Bank, Punsei Puliampatti);

(ii) a sum of Rs.91,370/- towards provident fund (cheque bearing no.248037 dated 07.06.2019 drawn from the Bharatha State Bank, Sathyamangalam); and

(iii) a sum of Rs.37,451/- towards the interest for provident fund (cheque bearing no.248055 dated 29.06.2019 drawn from the Bharatha State Bank, Sathyamangalam).'

5.The learned counsel appearing for the third respondent would submit that with regard to the payment from LIC, the third respondent has already sent letter to the Manager of LIC for disbursement of the amount and would further submit that if there is any due pending with the third respondent, it will be settled in accordance with law, as pointed out by the petitioner.

6.In view of the above, nothing survives for adjudication in the writ petition and the writ petition is dismissed. However, if there is any due, the petitioner can work out the remedy in the manner known to law.

7.The writ petition is accordingly dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Municipal Administration,
Chepauk,
Chennai - 05.

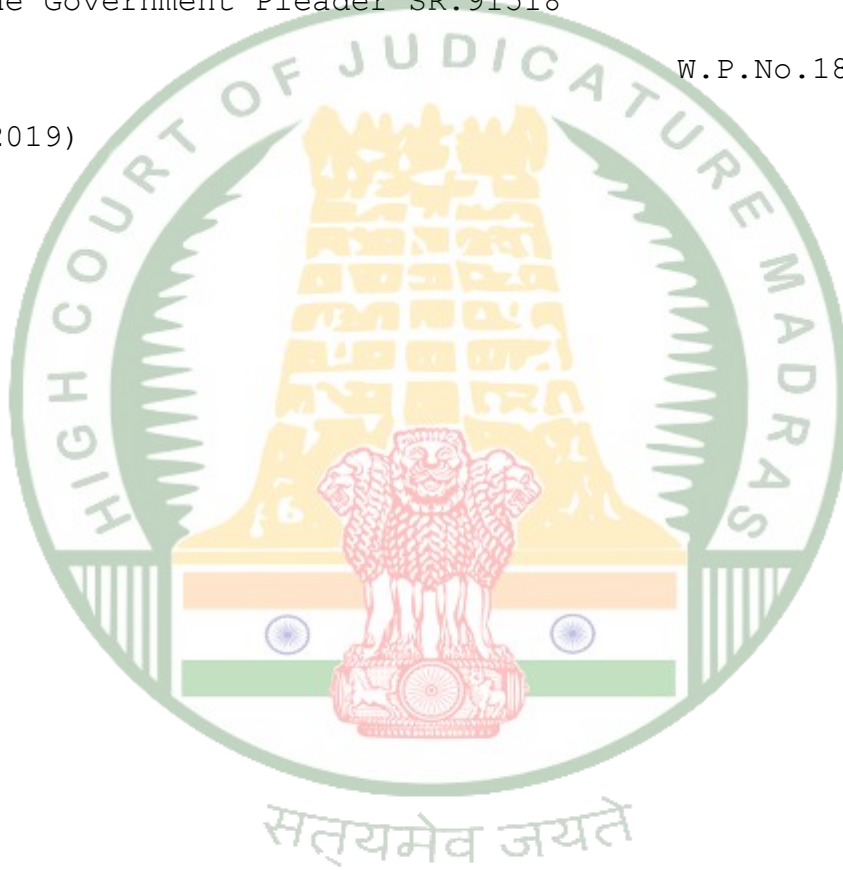
2.The Regional Director of Municipal Administration,
J.G.Nagar, 1st Street,
Kumaranandhapuram,
Tirupur.

3.The Municipality Commissioner,
Municipality Office,
Puliyampatti,
Tirupur District.

+lcc to Mr.M.Roshan Atiq, Advocate SR.91931
+lcc to the Government Pleader SR.91518

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PVS (CO)
CB(06/12/2019)



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