



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.11.2019
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 31088 of 2019

Smt. D. Ellamal

... Petitioner

-Vs-

1. State of Tamil Nadu
Rep by its the Principal Secretary
Department of Revenue Administration
Fort St. George, Chennai - 600 009.
2. The District Collector
Kanchipuram District
Kanchipuram.
3. The Tahsildar
Tambaram Taluk
Chennai - 600 045.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Third Respondent to issue the death certificate of my husband Mr. M.Dakshinamurthy and legal certificate as prayed in the petitioner's representation dated 22.07.2019 within a time frame.

For Petitioner : Mr. M.Palanimuthu

For Respondents: Mr. M. Karthikeyan
Additional Government Pleader

O R D E R

Heard Mr. M. Palanimuthu, Learned Counsel for the Petitioner and Mr. M. Karthikeyan, Learned Additional Government Pleader appearing on behalf of the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The husband of the Petitioner, viz., M. Dhakshinamurthy, was working as Belder in the International Airports Authority of India and was missing from 24.11.1977 onwards and according to the Petitioner, his whereabouts were not known thereafter. The Petitioner was given employment by the International Airports



Authority of India in Madras as sweeper from 24.08.1978, and she retired from service on attaining age of superannuation on 30.04.2016. According to the Learned Counsel for the Petitioner, the grievance of the Petitioner now is that for the purpose of settlement of her terminal benefits, her employer has required her to produce the Death Certificate and Legal Heirship Certificate of the said M. Dhakshinamurthy.

3. When it is pointed out that the Petitioner could make representation to her employer to settle her terminal benefits without requiring the production of Death Certificate and Legal Heirship Certificate for M. Dhakshinamurthy, who has been missing from 24.11.1977 onwards, and in the event of its refusal, the Petitioner could work out her remedies for necessary relief before the competent forum in the manner recognized by law, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to the Petitioner to resort to the same. He has also made an endorsement to that effect, which is recorded.

4. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary
Department of Revenue Administration
Fort St. George, Chennai - 600 009.
2. The District Collector
Kanchipuram District
Kanchipuram.
3. The Tahsildar
Tambaram Taluk
Chennai - 600 045.

+1cc to Government Pleader SR.NO. 92452
+1cc to Mr. M.Palanimuthu, Advocate sr.91376

W.P. No. 31088 of 2019

vd(co)
nr 08/01/2020

2/2