

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31276 of 2019

M.R.Karthick

..Petitioner

Vs

1.The Chief Engineer,  
Mettur Thermal Power Station,  
Tamilnadu Electricity Board,  
Mettur Dam 636 406.

2.The Superintending Engineer (P&A),  
Purchase and Administration,  
Mettur Thermal Power Station,  
Tamilnadu Electricity Board,  
Mettur Dam, Salem District-636 406.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ, order or direction or any other appropriate order in the nature of a Writ of Mandamus, directing the respondents to disburse the death benefits of the petitioner's wife deceased Karunya, who died on 15.02.2018 by considering the petitioner's representation dated 27.11.2018.

For Petitioner : Mr.N.Vijaya Basker  
For Respondents : Mr.P.R.Dilipkumar

ORDER

- 1.This writ petition has been filed by the petitioner, praying for issuance of a Writ of Mandamus, to direct the respondents to disburse the death benefits of the petitioner's wife deceased Karunya, who died on 15.02.2018 by considering the petitioner's representation dated 27.11.2018.
- 2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.
3. The case of the petitioner is that even before the marriage, his wife P.Karunya who was appointed on compassionate grounds and working as Technical Assistant in the respondents Electricity Board in the year 2012 and got promoted to the post

of Junior Engineer Grade II, met with an accident and undergone medical treatment for which, the petitioner her borne medical expenses. Later the petitioner married her on 04.09.2017 and both of them lead marital life for a short span of period and all of a sudden, wife of the petitioner was admitted into the hospital and after diagnosis he came to know that his wife had affected with spinal Blood Cancer (AML-TYPE-2 cancer of 85% spread all over the body) and admitted her in Kovai Medical College Hospital and took treatment and on 15.02.2018, she died in the hospital while taking treatment. It appears that the petitioner has approached the respondents and made a representation dated 27.11.2018, requesting to disburse the death benefits due and payable to his wife who was the employee of the respondents. The grievance of the petitioner is that despite representation, the respondents have not considered the same and no death benefits were settled till date. Hence the writ petition has been filed by the petitioner.

- 4.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 27.11.2018 and to pass appropriate orders.
- 5.The learned counsel appearing for the respondents conceded to the request as submitted by the learned counsel appearing for the petitioner. The learned counsel would submit that if this Court directs the respondents to consider the dispose of the representations made by the petitioner, the same would be complied with and the representation would be disposed of in accordance with law.
- 6.Considering the limited request made by the learned counsel appearing for the petitioner, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 27.11.2018, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

- 7.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Chief Engineer,  
Mettur Thermal Power Station,  
Tamilnadu Electricity Board,  
Mettur Dam 636 406.

2.The Superintending Engineer (P&A),  
Purchase and Administration,  
Mettur Thermal Power Station,  
Tamilnadu Electricity Board,  
Mettur Dam, Salem District-636 406.

+1 cc to M/s.P.R.Dhilipkumar,Advocate Sr.No. 92681  
+1 cc to M/s.Law Vision, Advocate Sr.No.92719

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W.P.No.31276 of 2019



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