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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP (MD) No.8504 of 2019

B.Pushpa

... Petitioner

vs.

- 1.The Commissioner,
Milk Production and Diary Development Department,
Madhavaram,
Chennai.
- 2.The Deputy Registrar,
(Warehouse),
Office of the Registrar of Co-Operative Societies,
No.170, Periyar EVR High Road,
Kilpauk,
Chennai - 600 010.
- 3.The Deputy Registrar,
Milk Production Department,
Karur District.
- 4.The Special Officer,
TRD 661, Veerarakkiyam Milk
Producers Co-Operative Society,
Krishnarayampuram Taluk,
Karur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to disburse the Provident Fund and Gratuity amounts accrued to the petitioner's husband Late Baskaran, within the time stipulated by this Court.

For Petitioner	:	Mrs.P.Kalaiyarasi Bharathi
For Respondents	:	Mrs.J.Padmavathy Devi, Special Government Pleader

O R D E R

This writ petition has been filed seeking to direct the 3rd respondent to disburse the Provident Fund and Gratuity amounts accrued to the petitioner's husband Late Baskaran, within the time stipulated by this Court.



2. Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Counsel for the petitioner submitted that the petitioner's husband passed away, while he was in service under the 4th respondent. The provident fund and gratuity payable to the petitioner's husband, have not been settled to the petitioner. In this connection, the petitioner submitted a representation to the respondents on 29.08.2018. Subsequently, though, the petitioner received a communication from the 2nd respondent on 04.12.2018 that steps were being taken to settle benefits, so far the petitioner has not been paid with the same. Hence, the petitioner is before this Court.

4. The learned Special Government Pleader appearing for the respondents, on instructions, submitted the 2nd respondent would look into the issue and resolve the same on merits.

5. Considering the limited nature of the relief sought for by the petitioner and also considering the submissions made on either side, this Court without going into the merits of the case, directs 2nd respondent to consider the representation of the petitioner dated 29.08.2018, on merits and in accordance with law and also in the light of the communication in Na.Ka.No.1241/A/2018, dated 04.12.2018 and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

dsk

To

1. The Commissioner,
Milk Production and Diary Development Department,
Madhavaram,
Chennai.



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(Warehouse),
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4.The Special Officer,
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Producers Co-Operative Society,
Krishnarayampuram Taluk,
Karur District.

+1CC TO MR.P.KALAIYARASI, Advocate Sr. No.59994

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 60108

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TR (29.04.2019) 3P 7C