



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2019

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THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P.(MD).No.15756 of 2019

M.Thirumathi

.. Petitioner

Vs.

1.The Deputy Director of Health Services,
Department of Public Health and
Preventive Medicine,
Government Headquarters Hospital Campus,
Meenachinacikenpatti,
Dindigul - 624 001.

2.The Block Medical Officer,
Government Primary Health Centre,
Uluppagudi,
Natham Taluk,
Dindigul District.

..Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to take immediate action to disburse the petitioner's Death-Cum-Retirement-Gratuity by consider her representation dated 22.04.2019, within a specified time frame to be fixed by this Court.

For Petitioner	: Mr.B. Rooban
For Respondents	: Mr. M. Pandiyarajan Additional Government Pleader

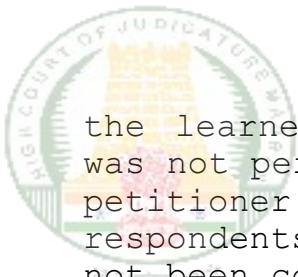
O R D E R

This Writ Petition has been filed for issuing a direction to the respondents to take immediate action to disburse the petitioner's Death-Cum-Retirement-Gratuity, by considering her representation dated 22.04.2019, within a specified time to be fixed by this Court.

2. Mr. M. Pandiarajan, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for disposal at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3. According to the petitioner, a criminal has been registered against the petitioner and the same is pending before



the learned Chief Judicial Magistrate, Dindigul and therefore, he was not permitted to retire from service. In such circumstances, the petitioner has sent a representation, dated 22.04.2019, to the respondents to pay the gratuity amount to her, but, the same has not been considered so far.

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4. The learned counsel appearing for the petitioner submitted that in the light of the decision of this Court, the petitioner is entitled for payment of gratuity amount. He would further submit that the respondents have no jurisdiction to withheld the said gratuity amount.

5. The learned Additional Government Pleader appearing for the respondents would submit that the representation of the petitioner will be considered by the respondents on merits and in accordance with law.

6. Having regard to the limited scope of the prayer made by the petitioner and considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the respondents to consider the representation of the petitioner, dated 22.04.2019, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Needless to say that the petitioner shall forward a copy of the representation along with a copy of this order to the respondents, to enable him to comply with directions passed by this Court.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

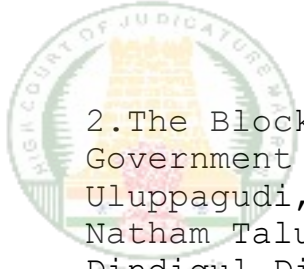
Assistant Registrar (AS)

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Sub Assistant Registrar (CS)

To

1. The Deputy Director of Health Services,
Department of Public Health and
Preventive Medicine,
Government Headquarters Hospital Campus,
Meenachinacikenpatti,
Dindigul - 624 001.



2.The Block Medical Officer,
Government Primary Health Centre,
Uluppagudi,
Natham Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-76408[F] dated 19/07/2019)

+1 CC to M/s.B.ROOBAN, Advocate (SR-76090[F] dated 18/07/2019)

W.P.(MD).No.15756 of 2019

KK/SAR/01.08.2019/3P-5C/