



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.03.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.4351 of 2017

G.Jeyalakshmi

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu Co-Operative Housing Federation Society Limited,
No.49, Riththarton Road,
Vepperi, Chenna - 600 07.
- 2.The Deputy Registrar (Housing),
Housing Office, Virudhunagar Region,
3.D.D.Road, Mani Nagaram, Palpannai Road,
Virudhunagar District.
- 3.The President,
SP.Spl, 173, Sattur Co-Operative Housing Society Limited,
No.5, Sakthi Nagar Complex,
Chidamparam Nagar,
Sattur Town, Virudhunagar District.
- 4.The Secretary (In-charge),
SP.Spl, 173, Sattur Co-Operative Housing Society Limited,
No.5, Sakthi Nagar Complex,
Chidamparam Nagar,
Sattur Town, Virudhunagar District.

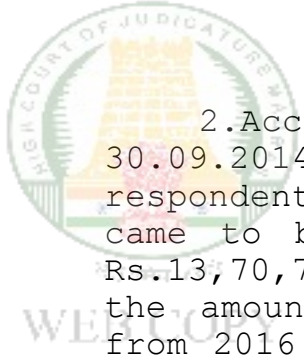
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay the balance amount of Rs.13,70,786.50 towards terminal benefits and arrears of salary of the deceased husband of the petitioner along with interest at the rate of 18% per annum to the petitioner till the date of payment within a stipulated period as to be fixed by this Court.

For Petitioner	: Mr.H.Arumugam
For Respondent	: Mrs.J.Padmavathy Devi,
Nos.1 & 2	Special Government Pleader
For Respondent	: Mr.C.Selvaraj
Nos.3 & 4	

ORDER

This writ petition has been filed seeking to direct the respondents to pay the balance amount of Rs.13,70,786.50 towards terminal benefits and arrears of salary of the deceased husband of the petitioner along with interest.



2. According to the petitioner, due to the death her husband on 30.09.2014, terminal benefits were sought to be settled by the respondents. Pursuant to the same, a portion of the benefits alone came to be settled and the remaining amount payable to her is Rs.13,70,786.50. Narrating the facts and circumstances as well as the amount payable, the petitioner made several representations from 2016 till date, but none of those representations have been considered by the respondents. Hence, she is before this Court.

3. The learned Counsel for the petitioner submitted that when a person during the period of service, passes away or on retirement, he is entitled for terminal benefits, if there are no other legal impediments. Hence, he prayed for a direction to the respondents to consider the claim of the petitioner.

4. The learned Counsel appearing for the respective respondents submitted that the grievance of the petitioner would be addressed on merits.

5. In view of the above submissions made by the learned Counsel on either side, this Court directs the respondents to consider the claim of the petitioner, if such dues are unpaid so far and settle the same with 9% interest per annum. Such an order be passed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

dsk

To

1. The Managing Director,
Tamil Nadu Co-Operative Housing Federation Society Limited,
No.49, Riththarton Road,
Vepperi, Chennai - 600 07.

2. The Deputy Registrar (Housing),
Housing Office, Virudhunagar Region,
3.D.D.Road, Mani Nagaram, Palpannai Road,
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3.The President,
SP.Spl, 173, Sattur Co-Operative
Housing Society Limited,
No.5, Sakthi Nagar Complex,
Chidamparam Nagar,
Sattur Town, Virudhunagar District.

4.The Secretary,
SP.Spl, 173, Sattur Co-Operative
Housing Society Limited,
No.5, Sakthi Nagar Complex,
Chidamparam Nagar,
Sattur Town, Virudhunagar District.

+1CC TO MR.H.ARUMUGAM, Advocate Sr. No.57332

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.57953

WP (MD) No.4351 of 2017
28.03.2019

KG(CO)
TR (30.04.2019) 3P 7C