



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.08.2019
CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P (MD) .No. 18332 of 2019

C.Mariyammal

: Petitioner

Vs.

1. The Principal Secretary,
The State of Tamil Nadu,
Municipal Administration and
Water Supply Department,
Fort Saint George,
Chennai.

2. The Director,
Directorate of local Fund Audit Department,
Integrated Office Complex for Finance Department,
Nandanam, Chennai.

3. The District Collector,
Office of the District Collector,
Ramanathapuram District.

4. The Commissioner,
Keellakarai Municipality,
Ramanathapuram District

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the respondents to pay pension, provident fund, gratuity, earned leave, retirement benefit and other terminal benefit for the death of petitioner's husband by name Chithiraivelu by considering the petitioner's representation, dated 08.08.2019, within the time stipulated by this Court.

For Petitioner

: Mr.R. Alagumani

For Respondents-1 to 3

: Mr.A. Muthukaruppan

Additional Government Pleader

For Respondent-4

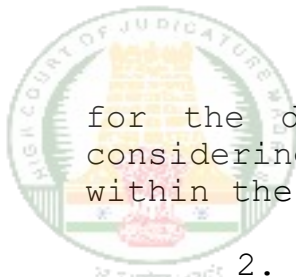
: Mr.A. Kannan,

Standing counsel

ORDER

The writ petition has been filed seeking for a direction to the respondents to pay retirement benefit and other terminal benefit

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



for the death of petitioner's husband by name Chithiraivelu by considering the petitioner's representation, dated 08.08.2019, within the time stipulated by this Court.

2. Mr. A. Muthukaruppan, learned Additional Government Pleader takes notice for the respondents-1 to 3 and Mr. P. Kannan, learned standing counsel takes notice for the fourth respondent. By consent of both parties, the instant writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that, her husband, namely, Chithiraivelu was appointed as a Scavenger at Keelakarai Town Panchayat (Now Municipality) Ramanathapuram and while in service, he died on 06.12.2018 and even after eight months, the respondents failed to pay retirement benefits and other terminal benefits. The further grievance of the petitioner is that she has submitted a representation, dated 08.08.2019 to the respondents to pay retirement benefits and all other terminal benefits, but, no steps was taken by the respondents to consider her representation and hence, the instant writ petition is filed.

4. Though this petition has been filed seeking for a positive direction to the respondents, according to the learned counsel appearing for the petitioner, the petitioner is satisfied, if a direction is issued to the fourth respondent, to consider the representation of the petitioner, within the time as fixed by this Court.

5. The learned Standing Counsel appearing for the fourth respondent has submitted that the representation of the petitioner will be considered on merits, within a reasonable period.

6. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, directs the fourth respondent to consider the petitioner's representation, dated 08.08.2019 on merits and in accordance with law, and pass necessary orders, within a period of Eight (8) weeks, from the date of receipt of copy of this order.

7. With the above directions, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Principal Secretary,
The State of Tamil Nadu,
Municipal Administration and
Water Supply Department,
Fort Saint George,
Chennai.
2. The Director,
Directorate of local Fund Audit Department,
Integrated Office Complex for Finance Department,
Nandanam, Chennai.
3. The District Collector,
Office of the District Collector,
Ramanathapuram District.
4. The Commissioner,
Keellakarai Municipality,
Ramanathapuram District

+1 CC to Mr.A. KANNAN, Advocate (SR-83390[F] dated 26/08/2019)
+1 CC to SPL GP (SR-83557[F] dated 27/08/2019)

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26.08.2019

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