



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.[MD]No.5440 of 2016

1.B.Vijaya
2.B.Malarkodi

: Petitioners

Vs.

1.The Chief Engineer (Highways),
Panagal Buildings, 3rd Floor Saidapet,
Chennai.

2.The Divisional Engineer (Planning),
Highways Department,
Thanjavur.

3.The Accountant General (A&E),
Tamil Nadu,
Chennai-600 018.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the petitioners' retirement benefits payable to the first and second petitioners with reasonable rate of interest, within the time stipulated by this Court.

For Petitioners : Mr.G.M.Xavier
For Respondents 1&2 : Mr.S.Angappan,
Government Advocate
For Respondent No.3 : Mr.P.Gunasekaran

O R D E R

The petitioners have filed the present Writ Petition seeking a direction to the respondents for settlement of the retirement benefits due to their deceased husband, with reasonable rate of interest.

2. Heard the submissions made by the learned counsel on either side.

3. The grievance of the petitioners is that they are the wives of the deceased R.Balachandran, who worked as Last Grade Government servant in the Highways Department under the control of the second respondent and expired on 19.12.2009. Therefore, seeking retirement benefits, they have made a representation dated 17.12.2015 and the same is kept pending without any reason, which



necessitated the petitioners to file the present Writ Petition.

4. The learned Government Advocate appearing on behalf of the first and second respondents as well as the learned Standing Counsel for the third respondent submitted that the representation of the petitioners would be considered on merits within the time stipulated by this Court.

5. Considering the facts and circumstances of the case and also having regard to the submissions made by the learned counsel on other side, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioners dated 17.12.2015, if not considered earlier and pass appropriate orders on merits and in accordance with law, after due opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

SML

To

1.The Chief Engineer (Highways),
Panagal Buildings, 3rd Floor Saidapet,
Chennai.

2.The Divisional Engineer (Planning),
Highways Department, Thanjavur.

3.The Accountant General (A&E),
Tamil Nadu, Chennai-600 018.

+1CC TO MR.G.XAVIER, Advocate Sr. No.57264

+1CC TO MR.P.GUNASEKARAN, Advocate Sr. No. 56901

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 57470

Order made in
W.P. [MD] No.5440 of 2016
Dated: 26.03.2019

TR (30.04.2019) 2P 7C