



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.19799 of 2019

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1.Palaniammal

2.Minor Naveenkumar

Represented by his mother and Natural
Guardian, the first petitioner

... Petitioners

-Vs-

1.The Director of Agriculture,
O/o. Director of Agriculture,
Chepauk, Chennai-5.

2.The Joint Director of Agriculture,
Opp. To RTO Office,
Pudukkottai District.

3.The Agricultural Officer,
Agriculture Extension Centre,
Thirumayam, Pudukkottai District.

4.Sathyamurthy

... Respondents

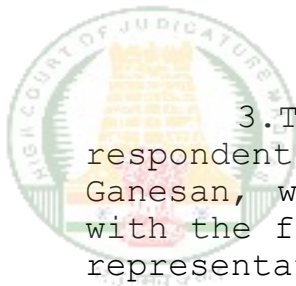
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to disburse the terminal benefits of the deceased Ganesan, who was the employee under them, to the petitioners along with the fourth respondent equally, by considering the petitioners' representation dated 20.08.2019 as the earliest possible as the date may be fixed by this Court.

For Petitioners : Mr.R.Suriya Narayanan
For R1 to R3 : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

Heard Mr.R.Suriya Narayanan, learned counsel appearing on behalf of the petitioners and Mr.V.R.Shanmuganathan, learned Special Government Pleader, who takes notice on behalf of the respondents 1 to 3. Notice to the fourth respondent is dispensed with, since no adverse order is going to be passed against him.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



3.This Writ Petition is filed for a direction to direct the respondents 1 to 3 to disburse the terminal benefits of the deceased Ganesan, who was the employee under them, to the petitioners along with the fourth respondent, equally, by considering the petitioners' representation, dated 20.08.2019.

WEB COPY

4.According to the first petitioner, her father-in-law was an employee of the third respondent and worked as Lab Assistant. He had two sons, elder son is the fourth respondent herein and the younger son is the husband of the first petitioner. Her husband died on 03.02.2017, leaving behind the petitioners herein. Her father-in-law died on 30.08.2016 and the second petitioner and the fourth respondent are the legal heirs of her father-in-law. The fourth respondent, suppressing the right of the second petitioner, got a legal heirship certificate of the deceased Ganesan to get his terminal benefits. Therefore, the first petitioner gave a representation, dated 19.07.2017 to the respondents 1 to 3. On receiving the same, the first respondent sent a communication, dated 12.09.2017, directing the third respondent to consider the same. But, the third respondent did not respond the same. The first petitioner gave a representation, dated 20.08.2019, to the respondents. However, the same was not considered by the respondents. Hence, the petitioners have come out with the present Writ Petition.

5.The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioners will be considered on merits, within a stipulated period, that may be fixed by this Court.

6.Considering the submissions made on either side, without deciding the issues on merits, this Court directs the respondents 1 to 3 to consider the representation, dated 20.08.2019, submitted by the petitioners, and pass orders, on merits and in accordance with law, after affording opportunity of hearing to the petitioners as well as the fourth respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Ad-II)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Director of Agriculture,
O/o. Director of Agriculture,
Chepauk, Chennai-5.

2.The Joint Director of Agriculture,
Opp. To RTO Office,
Pudukkottai District.

3.The Agricultural Officer,
Agriculture Extension Centre,
Thirumayam, Pudukkottai District.

+1 CC to M/s.R.SURIYANARAYANAN, Advocate SR-87446.

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