



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.20604 of 2019

V.Kaliammal

... Petitioner

-Vs-

- 1.The Secretary to Government,
Municipal & Water Supply Department,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009.
- 2.The Director of Town Panchayat,
O/o. Director of Town Panchayat,
Kuralagam, Chennai.
- 3.The District Collector,
Collectorate,
Theni District, Theni.
- 4.The Assistant Director,
Office of Assistant Director,
Town Panchayats, Theni, Theni District.
- 5.The Executive Officer,
Town Panchayats,
Devathanapatti,
Periyakulam Taluk,
Theni District.

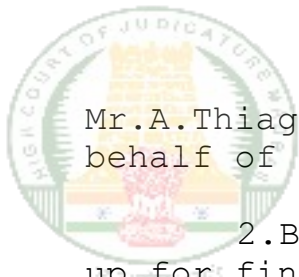
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to disburse death cum terminal benefits, pension, provident fund, gratuity, etc., arrears of pay, revised pension and all other monetary benefits accrued of the petitioner's husband late Natarajan to the petitioner within a reasonable time as may be fixed by this Court together with 7.5% interest thereon from 04.07.2017.

For Petitioner : Mr.K.Appadurai
For R1 to R4 : Mr.V.Anand,
Government Advocate.
For R5 : Mr.A.Thiagarajan,
Government Advocate.

ORDER

Heard Mr.K.Appadurai, learned counsel appearing on behalf of the petitioner, Mr.V.Anand, learned Government Advocate, who appeared on behalf of the respondents 1 to 4 and



Mr.A.Thiagarajan, learned Government Advocate, who takes notice on behalf of the 5th respondent.

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

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3.This Writ Petition is filed for a direction to the respondents to disburse death cum terminal benefits, pension, provident fund, gratuity, etc., arrears of pay, revised pension and all other monetary benefits accrued of the petitioner's husband late Natarajan to the petitioner, together with 7.5% interest thereon from 04.07.2017.

4.According to the petitioner, her husband, namely, Natarajan, was employed in the 5th respondent Town Panchayat as Over Head Tank Operator. While he was in employment, on 04.07.2017, he died due to illness. The 5th respondent has given appointment to her son, namely, N.Sivaraj on 30.08.2017 on compassionate ground as Sanitary Worker. The respondents paid only funeral expenses on the death of her husband and withheld the death cum terminal benefits as well as family pension. She has sent various representations, seeking terminal benefits, payable to her husband and lastly, she made representation on 12.07.2019. However, no amount is paid. Hence, the petitioner has come out with the present Writ Petition.

5.The learned Government Advocate appearing for the respondents 1 to 4 and the learned Government Advocate appearing for the 5th respondent submitted that the 5th respondent, by the proceedings dated 23.07.2019, sent a proposal to the second respondent and the second respondent will pass orders, within a time frame to be fixed by this Court.

6.Considering the above said submissions made by the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents, this Writ Petition is disposed of, directing the second respondent to pass orders on the proposal submitted by the 5th respondent and pay the eligible terminal benefits to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)



To

- 1.The Secretary to Government,
Municipal & Water Supply Department,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009.
- 2.The Director of Town Panchayat,
O/o. Director of Town Panchayat,
Kuralagam, Chennai.
- 3.The District Collector,
Collectorate,
Theni District, Theni.
- 4.The Assistant Director,
Office of Assistant Director,
Town Panchayats, Theni, Theni District.
- 5.The Executive Officer,
Town Panchayats,
Devathanapatti,
Periyakulam Taluk,
Theni District.

+1 CC to M/s.K.APPADURAI, Advocate (SR-89242[F] dated 25/09/2019)

+1 CC to M/s.GP (SR-89816[F] dated 26/09/2019)

W.P. (MD) No.20604 of 2019
25.09.2019

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