

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.25378 of 2013

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioners submits that the present writ petition is filed by the petitioners seeking terminal benefits of the deceased, who was employed with the respondents' University.

Learned Standing counsel appearing for the respondents' University submits that other than the 1st petitioner, the deceased employee has nominated one Smt.C.Kalpana as his wife and in the nomination list, the deceased employee has furnished the names of Smt.C.Kalpana as wife and C.Shamsheer Reddy as son. However, the petitioners have not impleaded Smt.Kalpana and C.Shamsheer Reddy as party respondents in the present writ petition. Further, whenever there is a rival claim for terminal benefits of a deceased employee, it is for the claimant, who is claiming terminal benefits, to approach the competent Civil Court for grant of Succession Certificate and then only, the respondents' University would be in a position to disburse the terminal benefits of the deceased employee.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that as there is a rival claim with regard to disbursement of terminal benefits of the deceased employee, the relief sought for by the petitioners cannot be granted by this Court. However, the petitioners are given liberty to approach the competent Civil Court and obtain Succession Certificate in accordance with law. It is

needless to say that basing on the said Succession Certificate, the respondents' University would release the terminal benefits of the deceased employee to the eligible persons.

With the above observations, this writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

01-10-2019
Prv

