

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.28487 of 2019

ORDER

This Writ Petition is filed seeking the following relief:

“to issue a writ or writs more particularly in the nature of writ of mandamus declaring the action of the respondents in not paying the death benefits of late Gajula Yasu Ratnam (ARPC No.17090 the husband of petitioner No.1) and father of petitioners 2 and 3 and paying family pension to the petitioner No.1 and not providing employment on compassionate grounds to the petitioner No.1 and 2 though ten months elapsed from the date of death of Gajula Yesu Ratnam as illegal, arbitrary, highhanded and cannot be justified in the eye of law and consequently direct the respondents to pay the death benefits of late Gajula Yesurathnam and appoint petitioner Nos.2 and 3 in any suitable post on compassionate grounds in the interest of justice and pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri Ch.Srinivas, learned counsel appearing for the petitioners, and learned Special Government Pleader for Home appearing for the respondents.

It is the case of the 1st petitioner that while her husband was discharging his duties as Constable, he expired on 6.2.2019. She is the legally wedded wife of the deceased and petitioners 2 and 3 are the children born out of the wedlock through the deceased-husband. After the death of her

husband, the 1st petitioner submitted an application to the respondents on 20.05.2019 requesting them to release the pensionary benefits and provide employment on compassionate grounds to one of her sons i.e., petitioners 2 and 3. But, so far, the respondents have neither considered the said representation nor released the pensionary benefits of the deceased employee.

Learned counsel appearing for the petitioners contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 20.05.2019 and pass appropriate orders.

Learned Government Pleader appearing for the respondents contended that since the representation submitted by the petitioners is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that the writ petition can be disposed of directing the respondents to consider the representation dated 20.05.2019 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 24.12.2019
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