

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.3108 of 2020

P. Banumathi

... Petitioner

-Vs-

1. The Managing Director
Tamil Nadu Co-operative Milk Producers
Federation Limited (TCMPF)
36-A, Pasumpon Muthuramalingam Thevar Road
Nandanam Extension, Nandanam
Chennai 600 035.

2. The District Collector
Villupuram District.
Villupuram 605 602

3. The General manager
Villupuram Co-operative Milk Producers
Union Ltd.
P.B.61, Kandamandal Post
Vazhuthreddy
Villupuram 605 401

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ, Order or direction in the nature of Writ of Mandamus directing the first respondent to give all the monetary benefits of petitioner's deceased father on the representation given by her in June, 2019.

For Petitioner : Mr. C. Santhosa Kumar

For Respondents: Mr.L.P. Shanmuga Sundaram

Special Government Pleader for R1 & R3

Mr. P.S.Siva Shanmuga Sundaram

Special Government Pleader for R2.

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to settle the terminal benefits of the deceased employee, who was working in the third respondent Cooperative Milk Producers Union Limited.

2. The case of the petitioner is that her father was working as a Factory Assistant before the third respondent. He died on 20.08.2006 while he was in service leaving behind his wife, petitioner and two other sisters of the petitioner as his legal heirs. A representation was made seeking for terminal benefits and the same was returned in order to produce the legal heirship certificate. Left with no other option, a suit came to be filed in O.S.No.92 of 2010 before the Additional District Munsif, Chidambaram, for the relief of declaration and the suit was also decreed by judgment and decree dated 10.08.2015.

3. After the above suit was decreed, a fresh representation was made to the respondents to give the monetary benefits of the deceased employee. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited prayer that has been sought for in this Writ Petition, there shall be a direction to the third respondent to consider the representation made by the petitioner in the month of June 2019 in the light of the Judgment and decree passed in O.S.No.92 of 2010 dated 10.08.2015 and pass appropriate orders within a period of six (6) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.

6. This Writ Petition is disposed of with the above directions. No Costs.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

bga

Copy to

1. The Managing Director
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+1 CC to M/s.A.L. Gandhimathi, Advocate sr 11172.

+1 CC to The Govt. Pleader sr 10836.

+1 CC to Mr.L.P.Shanmuga Sundaram, Advocate sr 10564.

W.P.NO.3108 of 2020

RSV(CO)
SP(11/03/2020)