

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :25.02.2020
CORAM
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.4690 of 2020

R.Selvaraju

...Petitioner

Vs.

1.The Director,
Institute of Non-communicable
diseases and Superintendent,
Government Royapettah Hospital,
Royapettah, Chennai 600 014.

2.The Directorate of Medical Education,
Kilpauk, Chennai 600 010.

3. The Officer,
Pay and Accounts Office (relating to DME),
DMS, Teynampet, Chennai 600 018.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to release the remaining terminal benefits including pension of the Petitioner's wife R.Mahalakshmi(late) as well as to grant family pension to the petitioner, who is the nominee of the deceased R.Mahalakshmi, for her service rendered in the 1st respondent department.

For Petitioner : Mr.G.Vasudevan
For Respondents : Mr.S.Karthikei Balan
Government Advocate

O R D E R

This writ petition has been filed for the issue of writ of Mandamus, directing the 2nd respondent to consider the representation made by the petitioner and to pay the terminal benefits, which is due and payable to the wife of the petitioner.

2. The case of the petitioner is that his wife was working as a Junior Assistant in the Government Dental College and she retired from service in the year 2014 as a Selection Grade Assistant. She was not settled with the terminal benefits and therefore, she filed writ petition before this Court in WP No.22966 of 2019, seeking for direction to the respondents to

settle the terminal benefits. It is reported that during the pendency of the writ petition, she died. The further case of the petitioner is that the respondents have remitted a sum of Rs.4,74,585/-, which is only a part of the amount towards the terminal benefits and the entire amount has not been settled till today. Therefore, the petitioner has made a representation in this regard to the respondents on 23.12.2019. Since the same has not been considered by the respondents, 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 relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 23.12.2019 and deal with the same, on its own merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of earlier representation dated 23.12.2019 and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-
Asst.Registrar (CS V)
/true copy/
Sub Asst. Registrar

rka

To

1.The Director,
Institute of Non-communicable
diseases and Superintendent,
Government Royapettah Hospital,
Royapettah, Chennai 600 014.

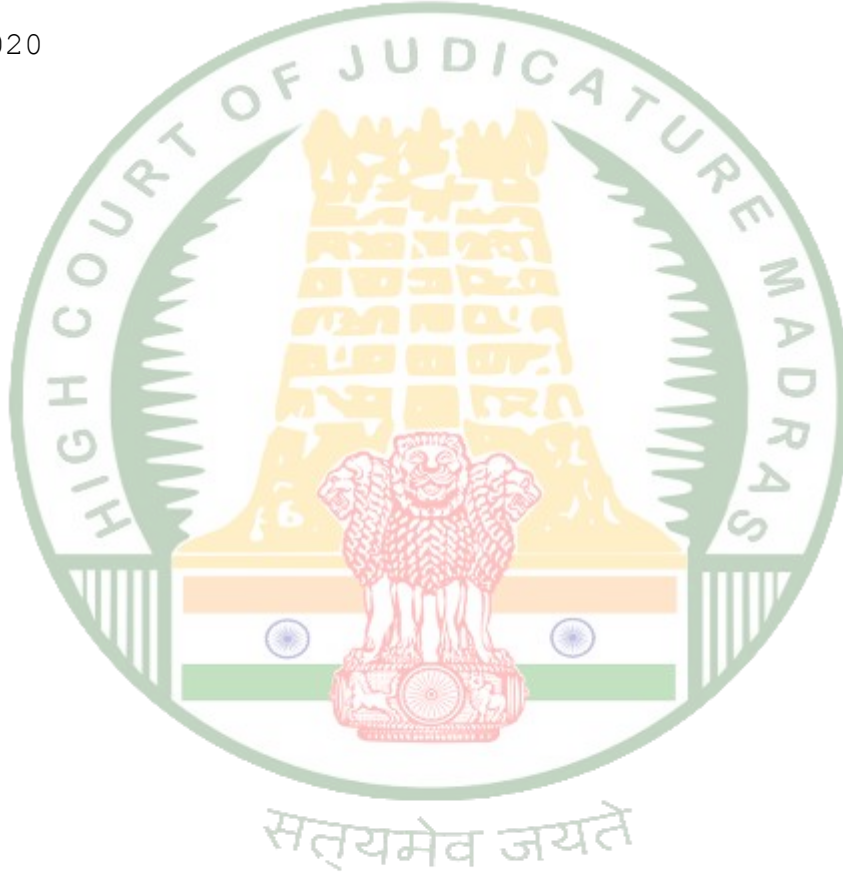
2.The Directorate of Medical Education,
Kilpauk, Chennai 600 010.

3. The Officer,
Pay and Accounts Office (relating to DME),
DMS, Teynampet, Chennai 600 018.

+1 cc to Government pleader High Court
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