

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :10.07.2020
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.29966 of 2013
and
M.P.No. 1 of 2013

G.Veeran
H/o Lakshmi (late)

... Petitioner

Vs

1.The Director of Municipal Administration,
Chepauk,
Chennai 600 005.

2.The Commissioner,
Corporation of Coimbatore,
Coimbatore 641 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS, directing the 2nd respondent to give death benefits of V.Lakshmi, who was working as Sanitary Worker and died while in service on 21.12.2005 to the petitioner within 3 months.

For Petitioner : Mr.P.Saravanan

For Respondents : Mr.S.Thangavel, Spl.GP. For R1

: Mr. J.Sathiyamoorthy Prasath, for R2

O R D E R

The present writ petition has been filed by the petitioner praying for the issuance of Writ of Mandamus, to direct the second respondent to give death benefits of the petitioner's wife who died while in service on 21.12.2005.

2.Heard both sides.

3.According to the petitioner, the petitioner's wife one Lakshmi was working as sweeper and her service has been regularized on 06.11.1975. She died while in service on 24.12.2005. Thereafter the petitioner has obtained legal heir certificate from Tashildar, Coimbatore South and the same was submitted before the first respondent on 18.03.2006 by the petitioner for getting service benefits of his wife and also to receive family pension. In this regard, the petitioner submitted

representation, but no orders have been passed on the same. In spite of repeated representations on 10.01.2013 and 11.06.2013 before first and second respondents herein, till date the grievance of the petitioner has not been redressed. Hence this Writ petition.

4. The learned counsel for the petitioner submits that though the petitioner has submitted the legal heir certificate for getting his wife's terminal and monetary benefits, he has been made to run from pillar to post and no action has been taken on the petitioner's representation. However, learned counsel for the petitioner submits that it would be suffice if this Court directs the second respondent to consider and dispose of the representation dated 11.06.2013, made by the petitioner in accordance with law.

5. The learned special government pleader appearing for the first respondent while conceding the claim of the petitioner, would submit that if any such direction is given by this Court, the same would be complied with and the representation of the petitioner dated 11.06.2013, would be disposed of in accordance with law.

6. Learned counsel appearing for the second respondent, submitted that during the pendency of the writ petition, the writ petitioner has passed away, however the eligible terminal benefits will be settled to the legal heirs of the writ petitioner in accordance with law.

7. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue a direction to the second respondent to consider the representation dated 11.06.2013 made by the petitioner and dispose of the same in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

8. With the above observation, this Writ Petition is disposed of. Consequently connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

jrs /GLN

To

1.The Director of Municipal Administration,
Chepauk,
Chennai 600 005.

2.The Commissioner,
Corporation of Coimbatore,
Coimbatore 641 018.

W.P.No.29966 of 2013

A.SK(10/09/2020)



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