

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.4897 of 2013

and

M.P.No. 1 of 2013

C.Kalaiselvi,
W/o late L.Chinnadurai.

...Petitioner

Vs

1.The State of Tamil Nadu,
rep. By the Director of Public,
Health & Preventive Medicine,
DMS Compound,
Chennai 06.

2.The Deputy Director of Public,
Health Services,
Kallakurichi,
villupuram District.

3.The Accountant General of Tamil Nadu,
Teynampet,
Chennai 06.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS, directing the respondents to sanction & disburse all the terminal and pensionary benefits of the deceased Husband of the petitioner and pay the family pension and other monetary benefits with interest within a stipulated period .

For Petitioner : Mr. R.PremNarayan

For Respondents : Mr.S.Thangavel, Spl.GP. For RR1 & 2

: M/S.T.S.Selvarani,
Standing Counsel for R3

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 respondents to give pensionary and other monetary benefits of her husband who died in harness on 02.09.2010.

2. According to the petitioner, the petitioner's husband one L.Chinnadurai was working as Health Inspector Grade I and he died while in service on 02.09.2010. Thereafter the petitioner obtained legal heir certificate and the same was submitted before the respondent on 04.06.2012. The petitioner's 2nd son was appointed as Hospital Worker on compassionate grounds. The petitioner submitted her application for getting service benefits of her husband and also for family pension. In this regard, the petitioner submitted representations on various occasions, but no orders have been passed on the same. In spite of repeated representations on 13.10.2011, 01.12.2011, 26.07.2012 and one undated representation, till date the grievance of the petitioner has not been redressed. Hence this Writ petition.

3. The learned counsel for the petitioner submits that though the petitioner has submitted the legal heir certificate for getting her husband's terminal benefits, she has been made to run from pillar to post and no action has been taken on the petitioner's representation. Learned counsel for the petitioner submits that it would suffice if this Court directs the second respondent to consider and dispose of the representations of the petitioner in accordance with law.

4. The learned Special Government Pleader appearing for the respondents while conceding the claim of the petitioner, submits that if any such direction is given by this Court, the same would be complied with and the representations of the petitioner would be disposed of in accordance with law.

5. 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.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

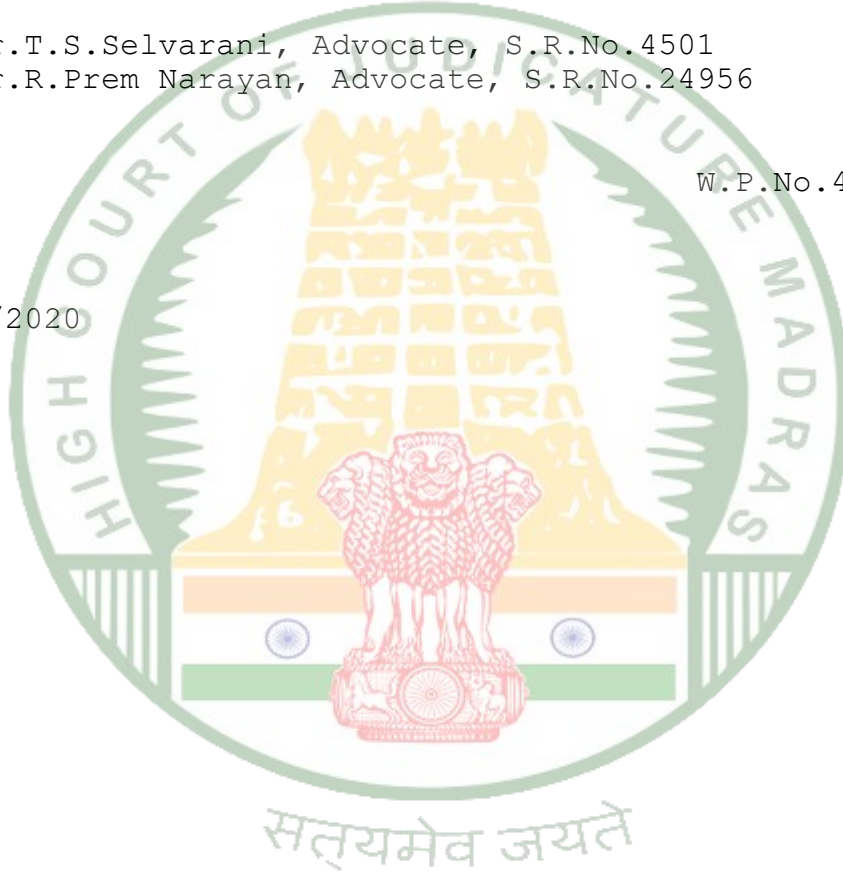
To

- 1.The Director of Public Health & Preventive Medicine,
DMS Compound, Chennai-6
- 2.The Deputy Director of Public,
Health Service,
Kallakurichi, Villupuram.
- 3.The Accountant General of Tamil Nadu,
Teynampet, Chennai-6

+1cc to Mr.T.S.Selvarani, Advocate, S.R.No.4501
+1cc to Mr.R.Prem Narayan, Advocate, S.R.No.24956

W.P.No.4897 of 2013

CA(CO)
KKV/17/08/2020



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