



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD) No.6043 of 2020

Lalitha

... Petitioner

/vs./

1.The Director,
Drug Control,
Chennai.

2.The Assistant Director,
Drug Control, Madurai Zone, Madurai.

3.The District Revenue Officer,
Madurai District, Madurai.

4.The Tahsildar,
Thiruparangundram,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the back wages and retirement benefits of petitioner's husband by way of adhering the fourth respondent's proceeding number ந.க.எண்.2556/2019/எப்1, dated 19.06.2019 and conclude the second respondent's proceeding in ந.க.எண்.7263/2019/அ1/2018, dated 14.02.2019, within a stipulated time by this Court.

For Petitioner : Mr.K.P.Sankarakumarakuruparan

For Respondents : Mr.M.Raja Rajan
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The case of the prosecution is that the petitioner's husband viz., Murugan, who worked in the second respondent office as a Junior Assistant, passed away, leaving behind his wife and his daughter, before the date of his retirement. When his daughter entered into the matrimonial home, she committed suicide. Hence, the petitioner gave an application along with the legal heir certificate before the second respondent for getting back his deceased / husband's retirement benefits. The brother of the deceased filed an objection petition before the concerned office.



Thereafter, the second respondent initiated proceedings and sent a communication to the third respondent regarding the truthfulness of the above said legal heir certificate. The third respondent sent a communication to the fourth respondent and the fourth respondent sent a reply in favour of the petitioner. Since no action has been taken by the respondents till date, the petitioner has filed the present Writ Petition before this Court.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the wife of the deceased Murugan. The retirement benefits of the petitioner's husband have not been settled to the petitioner till date, for which, the petitioner made a representation to the second respondent to disburse the terminal benefits of her husband. Till date, her representation has not been considered by the respondents. Due to inaction on the part of the second respondent, the petitioner is before this Court.

4. The learned Government Advocate appearing for the respondents would submit that the petitioner is not a legally wedded wife of the deceased viz., Murugan. However, the second respondent issued a direction to the third respondent to conduct enquiry in respect of the petitioner's representation dated 17.09.2018. He would further submit that the representation of the petitioner would be considered within the time stipulated as fixed by this Court.

5. Considering the limited scope of the relief sought for by the petitioner in this writ petition, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 17.09.2018 on merits and in accordance with law and pass necessary orders, after affording due opportunity of hearing to the petitioner and all the aggrieved interested persons, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg



To

1.The Director,
Drug Control,
Chennai.

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Drug Control, Madurai Zone, Madurai.

3.The District Revenue Officer,
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