



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.10.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.14714 of 2020

T.Aaraayee

... Petitioner

Vs

1. The District Collector,
Puthukottai,
Puthukottai District.

2. The Block Development Officer,
Viralimalai Panchayat Union,
Viralimalai,
Pudhukottai District.

3. The President,
Kalkudi Union,
Kalkudi Village,
Viralimalai Taluk,
Puthukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to grant the death benefits to the petitioner, by considering the representation dated 14.09.2020.

For Petitioner	: Mr.G.Ganesh Kumar
For R1	: Mr.M.Karuppasamy Government Advocate
For R2	: Mr.A.Karthick Government Advocate

ORDER

This Writ Petition is filed to direct the respondents to grant the terminal benefits of the petitioner's husband to the petitioner, by considering the representation dated 14.09.2020.

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



3.It is the grievance of the petitioner that her husband was working as Secretary in the 3rd respondent union office. The petitioner's husband was died on 14.07.2014, while he was in service. Thereafter, though the petitioner has made a representation dated 14.09.2020 before the respondents seeking to disburse the terminal benefits of her husband, so far no action has been taken. Hence, the petitioner is before this Court with the relief stated supra.

4.The learned Government Advocate appearing for the 1st respondent would submit that the petitioner's husband was terminated from service even before 2 years from the date of his death and that the respondents are not in a position to release the terminal benefits of the petitioner's husband to the petitioner.

5.In reply, the learned counsel appearing for the petitioner would submit that though the petitioner's husband has been terminated from service even before 2 years from the date of his death, till date no action has been taken to release the terminal benefits of the petitioner's husband to the petitioner as the petitioner is entitled for the same.

6.Considering the submissions made by the learned counsel on either side, this Court is inclined to pass the following direction:-

the 1st respondent is directed to consider the petitioner's representation dated 14.09.2020 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order;

7.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The District Collector,
Puthukottai,
Puthukottai District.
2. The Block Development Officer,
Viralimalai Panchayat Union,
Viralimalai,
Pudhukottai District.
3. The President,
Kalkudi Union,
Kalkudi Village,
Viralimalai Taluk,
Puthukottai District.

+1 CC to the SPL GP (SR-20714[F] dated 29/10/2020)

W.P. (MD) No.14714 of 2020
28.10.2020

CK(CO)
CS(10.11.2020) 3P 5C