



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.15055 of 2015

S.Aloys Dew Salli

... Petitioner

Vs.

1.The Head Master,
St.Ignatius Convent Higher Secondary School,
Palayankottai,
Tirunelveli-627 002.

2.St.Ignatius Convent Higher Secondary School,
Palayankottai,
Tirunelveli-627 002, rep by its
Correspondent.

3.The Chief Educational Officer,
Tirunelveli District
At Tirunelveli.

4.The District Educational Officer,
Tirunelveli District,
At Tirunelveli.

5.The District Collector,
Tirunelveli District,
At Tirunelveli.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to pay the petitioner, the complete terminal benefits arising on account of the death of her mother viz., Mary Renjitham, during the service in the 2nd respondent's school on 13.11.2012.

For Petitioner : Mrs.L.Victoria Gowri

For R3 to R5 : Mr.G.Arjunan
Government Advocate

For R1 and R2 : Mr.M.Senthilkumar



ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 5 to pay the petitioner, the complete terminal benefits arising on account of the death of the petitioner's mother Mary Renjitham.

2.The learned counsel appearing on behalf of the petitioner states that the petitioner is the adopted daughter of the late Mary Renjitham, who was working in the second respondent School. However, the writ petitioner has not enclosed any document or able to establish that she is the legally adopted daughter of the late employee Mary Renjitham. In the absence of any valid adoption, questioning of considering the case of the writ petitioner for settlement of terminal benefits would not arise at all.

3.The respondents also directed the writ petitioner to submit succession certificate based on the adoption enabling the authorities to consider the case of the writ petitioner for grant of terminal benefits. The stand taken by the respondents in this regard is in consonance with the rules in force. Any adopted child claiming the benefit must produce the relevant records establishing the adoption enabling the authorities to consider the case.

4.This being the factum, the petitioner has to produce the documents establishing the legal adoption and submit the same to the respondents. In the event of submitting such document, the respondents are directed to consider the case of the writ petitioner in accordance with the rules in force. In the absence of any valid document, the claim of the writ petitioner cannot be considered.

5.With these observations, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (crl side)

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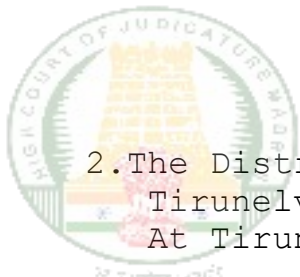
Sub Assistant Registrar(CS)

Ns

To

1.The Chief Educational Officer,
Tirunelveli District
At Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Educational Officer,
Tirunelveli District,
At Tirunelveli.

3.The District Collector,
Tirunelveli District,
At Tirunelveli.

+1 CC to SPL GP (SR-23885[F] dated 03/12/2020)

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02.12.2020

VB (11.12.2020) 3P 5C