

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1773 of 2021 and  
W.M.P.No.1982 of 2021

Shruthi Nirmal

... Petitioner

-vs-

1. The Government of Tamilnadu  
Rep. by its Secretary,  
Department of Education,  
Fort St. George, Secretariat,  
Chennai-600 009.

2. The Principal,  
Quaide-Milleth College for Women,  
Anna Salai, Chennai-600 002.

3. K.Nirmal Kumar

... Respondents

Prayer: Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to settle the terminal benefits payable to her mother Pugazhenthii worked as Assistant Professor at Government Quaide Milleth College for Women, without reference to the 3<sup>rd</sup> respondent to her at the earliest.

For Petitioner : Mr.D.Ashokkumar

For R1 : Mr.S.Karthikeibalan  
Govt. Advocate

सत्यमेव जयते  
O R D E R

The petitioner has filed this writ petition, seeking a direction to respondents 1 and 2 to settle the terminal benefits payable to her mother Pugazhenthii worked as Assistant Professor at Government Quaide Milleth College for Women, without reference to the 3<sup>rd</sup> respondent to her at the earliest.

2. In this case, the petitioner seeks for terminal benefits of her mother and the 3<sup>rd</sup> respondent is the father of the petitioner. Though R3 has been served and his name is also printed in the cause list, no one appears for him.

3. Admittedly, the 3<sup>rd</sup> respondent is a Class-II legal heir. When the petitioner, who is a Class-I legal heir seeks for benefits of her mother, she should be given more preference than R3, in respect of disbursement of benefits, as R3 has no right to claim any monetary benefits of his wife.

4. Learned Government Advocate, by producing a copy of the communication dated 03.03.2021, submitted that the settlement will be made to the petitioner within a period of four weeks and that she had already been paid a sum of Rs.3,00,000/-.

5. Taking note of the submission of the learned Government Advocate and the fact that the petitioner is a nominee of the deceased mother / employee, the Writ Petition is disposed of, with a direction to the Respondents 1 and 2 to pay the terminal benefits due to the deceased mother, to the petitioner after adjusting the amount already paid. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

ar  
To:

1. The Government of Tamilnadu  
Rep. by its Secretary,  
Department of Education,  
Fort St. George, Secretariat,  
Chennai-600 009.

2. The Principal,  
Quaide-Milleth College for Women,  
Anna Salai, Chennai-600 002.

+1 CC to The Government Pleader sr 15451

+1 CC to Mr.D. Ashok Kumar, Advocate sr 15234.

W.P.No.1773 of 2021

PVS (CO)  
SP(08/07/2021)