

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 17.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14994 of 2011
and
M.P.No.1 of 2011

S.Sivaraj

...Petitioner

Vs

1. Tamil Nadu Electricity Board,
Represented by its
Superintending Engineer,
Namakkal Electricity Distribution
Circle, Namakkal.

2. The Chief Engineer/Distribution,
Tamil Nadu Electricity Board,
Erode Region, Erode.

3. Lakshmi alias Sumathi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to disburse the unattachable portion in the retiral benefits, namely Death cum Retirement Gratuity in a sum of Rs.3,03,062/-, Special Provident Fund with Gratuity in a sum of Rs.24,217/-, Special Provident Fund Gratuity - 2000 in a sum of Rs.4,063/-, Family Security Fund Scheme in a sum of Rs.20,934/-, General Provident Fund Balance in a sum of Rs.10,684/-, D.A. arrears and other arrears in a sum of Rs.8,300/- and Commutation of Pension in a sum of Rs.3,42,670/-, totalling a sum of Rs.7,13,930/- within the time frame fixed by this Court.

For Petitioner : Mr.S.P.Hari Krishnan

For Respondents: Mr.Karthik Rajan, SC
for R1 & R2

O R D E R

The petitioner herein claims disbursement of certain unattached benefits.

2. The learned counsel for the petitioner would submit that pending the writ petition, the petitioner had died on 26.03.2013. The learned counsel does not have any instructions on the present status.

3. Since no application has been filed for substituting the legal heirs of the deceased petitioner, the writ petition stands dismissed as abated.

4. However, in case any of the legal heirs of the petitioner are of the view that the deceased employee's Death cum Retirement Gratuity (DCRG) and other benefits have not been fully disbursed, liberty is hereby granted to them to make an appropriate application before the second respondent herein seeking for disbursement of the same and on receipt of such an application, the second respondent shall consider the same on its own merits and take appropriate course of action in accordance with law, as expeditiously as possible.

5. It is made clear that this Court has not expressed any of its views with regard to the entitlement of the legal heirs for seeking the benefits. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

hvk
To

1. Tamil Nadu Electricity Board,
Represented by its
Superintending Engineer,
Namakkal Electricity Distribution
Circle, Namakkal.

2. The Chief Engineer/Distribution,
Tamil Nadu Electricity Board,
Erode Region, Erode.

+lcc to Mr.Karthik Rajan, Advocate SR.No. 23532

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A.SK(11.06.2021)