



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.13081/2021

[Video Conferencing]

1.S.Susitha
2.Arun Kumar

... Petitioners

Vs

1.The Director of Public Health & Preventive Medicine
359 Anna Salai, DMS Complex, Chennai 600 006.

2.The Deputy Director of Health Services
New Collectorate Buildings
B Block II Floor, Sathuvachari,
Vellore District 632 009.

3.The Block Medical Officer
Government Primary Health Centre
Husoor, Vellore District.

4.The Accountant General [A&E]
361, Anna Salai, Teynampet,
Chennai 600 018.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to disburse half of the pensionary and retirement benefits payable to their deceased E.Ananthi to the petitioners, consequent on the death of her husband G.Kumar on 01.07.2019 by considering their representation dated 02.11.2020

For Petitioners : M/s.T.Dharani

For Respondents : Mr.C.Kathiravan
Government Advocate

ORDER

1. By consent, the writ petition is taken up for final disposal and disposed of by this order.



2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the respondents.
3. The petitioners, claiming to be the legal heirs of the deceased Ananthi and Kumar, have filed this writ petition seeking disbursement of half of the pensionary and retirement benefits to them on the demise of their mother E.Ananthi, W/o.G.Kumar, by considering their representation dated 02.11.2020.
4. A perusal of the typed set of documents, in particular, the representation dated 02.11.2020, would reveal that the petitioners have requested the respondents not to disburse the retiral benefits to anyone till a decision is taken by the Court in OS.No.124/2019 pending on the file of the Court of Principal District Judge, Vellore.
5. At this juncture, the learned counsel for the petitioners would submit that the petitioners may be permitted to submit a fresh representation to the 1st respondent in due course and that the same may be considered and orders passed by the 1st respondent within a time frame.
6. Though the petitioners prayed for a larger relief, having regard to the limited scope of the prayer that is now sought for by the learned counsel for the petitioners before this Court, without expressing any opinion on the merits of the case, this Court permits the petitioners to submit a representation to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order and the 1st respondent, upon receipt of such representation from the petitioners, shall consider and dispose of the same on merits and in accordance with law within a further period of twelve weeks thereafter and communicate the decision taken, to the petitioners herein.
7. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Director of Public Health & Preventive Medicine
359 Anna Salai, DMS Complex, Chennai 600 006.



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Husoor, Vellore District.

4.The Accountant General [A&E]
361, Anna Salai, Teynampet,
Chennai 600 018.

+1cc to M/s. T. Dharani, Advocate Sr.No.29517

+1cc to the Government Pleader, Sr.No.29198

WP.No.13081/2021

RSI (CO)
RVM(19/07/2021)