



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.1168 of 2021

S.Petchiammal

...Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Principal Secretary,
Revenue Department,
Fort St.George, Chennai-9.

2.The Commissioner of Revenue Administration,
Chepauk,
Chennai-5.

3.The District Collector,
Collectorate,
Theni, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide the eligible terminal and other benefits of the petitioner's husband in the light of the FR 54 B-1(2) of the Tamil Nadu Government Fundamental Rules along with suitable interest within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.S.Dhayalan
Government Advocate

O R D E R

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

2.The petitioner's husband was alleged to have caused monetary loss to the respondent Department, based on which, 17(b) charges were initiated for disciplinary proceedings on 29.04.2016. Pending enquiry, the petitioner's husband died on 09.12.2020. In view of the death of the employee, the disciplinary proceedings came to be abated and accordingly, the third respondent herein had dropped the charges, through the proceedings in Na.Ka.No.10000/2016/A-5 dated 18.01.2021. The petitioner herein had sent a representation on 06.01.2021 seeking for disbursement of the terminal benefits and other monetary benefits. In view of the charges having been abated as against her husband, there cannot be any impediment on the part of the respondents to disburse the



terminal benefits to the petitioner.

3. In the light of the above observations, the third respondent herein is called upon to consider the petitioner's representation dated 06.01.2021 and take appropriate further course of action for the purpose of disbursal of the terminal benefits. The third respondent herein shall endeavour to complete the aforesaid consideration, at least within a period of eight weeks from the date of receipt of a copy of this order.

4. This Writ Petition stands disposed of accordingly.
No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

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 Principal Secretary,
State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai-9.

2. The Commissioner of Revenue Administration,
Chepauk,
Chennai-5.

3. The District Collector,
Collectorate,
Theni, Theni District.

+1 CC to M/s.GP (SR-2386[F] dated 29/01/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-2329[F] dated 29/01/2021)

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(MJ) CO

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