



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.534 of 2019

R.Mala

... Petitioner

Vs.

1.The chief Manager (HRM)
Indian Bank,
Corporate Office, HRM Department,
254-260, Avvai Shanmugham Salai,
Chennai - 600 014.

2.The Branch Manager,
Indian Bank,
Rajagopalapuram,
Plot No.268, Housing Road,
Pudukkottai - 622 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to pay ex-gratia payment to the petitioner payable on the death of her husband on 04.07.2010 with arrears and interest at 12% thereon.

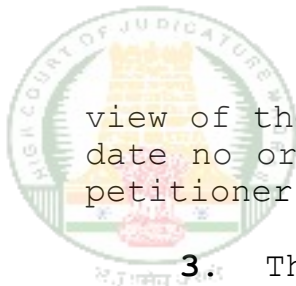
For Petitioner : Mr.K.Appadurai

For Respondents : Mr.Pala Ramasamy,
Standing Counsel for R1

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents herein to pay ex-gratia payment to the petitioner payable on the death of her husband on 04.07.2010 with arrears and interest at 12% thereon.

2. The case of the petitioner is that her husband viz., R.R.Raju was working as Clerk in the second respondent bank and he died on 04.07.2010, while he was in service, leaving behind the petitioner and his two female children. Thereafter, the petitioner has submitted an application on 29.01.2014 for exgratia payment, in



view of the new scheme framed by the respondent bank. However, till date no orders has been passed on the said application. Hence, the petitioner has come out with the present Writ Petition.

3. The learned Standing Counsel appearing for the first respondent submitted that the respondent bank will consider the case of petitioner and pass orders.

4. I have anxiously considered the submissions made by both parties and perused the materials available on record.

5. On a perusal of the records, it is seen that the petitioner's husband died on 04.07.2010 and she has submitted an application on 29.01.2014, seeking ex-gratia payment. The respondents bank has introduced a new scheme, which came into force from 04.08.2005 and as per the new scheme, the aggrieved person is entitled to get ex-gratia payment. Therefore, the petitioner is entitled to get ex-gratia payment as per the new scheme , which came into force from 04.08.2005.

6. In view of the above, this Court directs the respondents to consider the request of the petitioner for ex-gratia amount, as per the new scheme framed by the respondents bank, which came into force from 04.08.2005, and pass appropriate orders as expeditiously as possible within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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

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+1CC K.Appadurai Advocate sr.no.25835.

W.P (MD) No.534 of 2019
10.08.2021

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