



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) .No.13644 of 2021

V. Vasanthi

... Petitioner

Vs.

1. The Assistant Registrar (Establishment),
(Establishment & Legal)
National Institute of Technology,
Trichy- 620015.

2. The Assistant Registrar (Accounts),
(Accounts & TEQIP III)
National Institute of Technology,
Trichy - 620015.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the first and second respondents to consider the representation dated 24.06.2020 with regard to the release of terminal benefits and arrears amounts to the petitioner and pass orders.

For Petitioner : Mr. T.A. Punithan
For Respondents : Ms. J Maria Roseline

O R D E R

The prayer in this writ petition is for the issuance of a Writ of Mandamus directing the first and second respondents to consider the representation dated 24.06.2020 with regard to the release of terminal benefits and arrears amounts to the petitioner.

2. The writ petitioner has made a representation on 24.06.2020 to the respondents to settle the retirement benefits of Rs.9,64,111/- due on the death of her husband. It is the case of the petitioner that though the said representation is pending for about an year, the same is not disposed of so far. Hence, she has filed the present Writ Petition before this Court.

3. Ms. J Maria Roseline, learned counsel appearing for the respondents on instructions submitted that one Muruganadham has filed a suit in O.S.No.103 of 2018 before the II Additional District Judge, Trichy against the legal representatives of the deceased Vishnu Bahadur and NIIT for Rs.40,21,500/- and the said matter was referred to Lok Adalat and the Lok Adalat has passed an award on 08.02.2021 and based on the said Award, the said Muruganadham has filed execution petition in EP.No.331 of 2020 before the II Additional District Judge, Trichy and in the aforesaid Execution



Petition, the NIIT has also been impleaded as a party respondent/Garnishee and the said E.P. Proceedings are pending, wherein a counter was filed by the respondents stating that they were willing to abide by the orders that would be passed by the Court. Further on perusal of the records and the affidavit, filed in support of the Writ Petition, that the petitioner has not disclosed anything about the said execution proceedings, pending before the II Additional District Judge, Trichy.

4. In view of the above execution proceedings, pending before the II Additional District Judge, Trichy, at this stage no relief could be granted by this Court, however after the disposal of the execution proceedings, the petitioner may approach the respondents by making a fresh application seeking relief.

5. With the above observations, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar(CS)

mnr

TO

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