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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM :

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.3790 of 2022

Tmt.V.Murugammal

...Petitioner

Vs.

1.The Regional Director,
Reserve Bank of India,
Fort Glacis, No.16,
Rajaji Salai, Chennai - 600 001.

2.The Ombudsman,
Reserve Bank of India,
Fort Glacis, No.16,
Rajaji Salai, Chennai - 600 001.

3.The District Collector,
Vellore District,
Vellore.

4.The Bank Manager,
Union Bank of India,
2nd Floor, Regional Office,
No.139, Broadway,
Chennai - 600 104.

5.The Branch Manager,
Union Bank of India,
Vadukanthangal Branch,
Vadukanthangal, Vellore District.

6.Tmt.K.Rajamani

...Respondents

PRAYER : The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 28.09.2021 and 31.01.2022 and thereby direct the respondents to disburse the death terminal and pensionary benefits of Late. Kesavan to the petitioner.

For Petitioner : Mr.B.Gopalakrishnan



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For R3 : Mr.V.Jeevagiridharan
Additional Government Pleader

For R4 & R5 : Mrs.L.Jayachitra

O R D E R

The writ petition has been filed to direct the respondents to consider the petitioner's representations dated 28.09.2021 and 31.01.2022 and thereby, direct the respondents to disburse terminal and pensionary benefits of the death of Late. Kesavan, to the petitioner.

2.The facts of the case is that the deceased Kesavan worked as Office Assistant in the 5th respondent Bank viz., Union Bank of India, Vadukanthangal Branch, Vellore District. He adopted a child viz., P.Ranjith and took care of the child. On 08.06.2021, the deceased died due to ill health while he was in service. The 6th respondent viz., Rajamani approached the 4th and 5th respondents and requested them to disburse the death cum terminal benefits of the deceased Kesavan because she is the wife of the deceased Kesavan. However, the petitioner, who is the mother of the deceased Kesavan sent a representation to the respondents requesting them to disburse the terminal and pensionary benefits to her. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the deceased Kesavan worked as Office Assistant in the 5th respondent Bank viz., Union Bank of India, Vadukanthangal Branch, Vellore District and he adopted a child viz., P.Ranjith and was taking care of his mother and the said child also. He further submitted that the deceased died on 08.06.2021, due to ill health while he was in service and thereafter, the petitioner who is the mother of the deceased employee was shocked to hear that the 6th respondent was falsely claiming that she is the wife of the deceased Kesavan and requested the respondents to disburse the terminal and pensionary benefits in her favour, but according to the petitioner, the deceased was unmarried and till his last breath, he was residing with his mother and child. Hence, the petitioner sent a representation to the respondents on 28.09.2021, requesting them to disburse the terminal and pensionary benefits in her favour but so far no action was taken and again, she sent a reminder to the respondents on 31.01.2022 and the same is also pending before the respondents. Hence, she filed this writ petition before this Court.

4.Mrs.L.Jayachitra, learned counsel takes notice for the respondents 4 and 5.



5.Considering the facts and circumstances of the case and to meet the ends of justice, this Court is inclined to pass an order in this writ petition. The 5th respondent is directed to consider the petitioner's reminder application dated 31.01.2022 on its own merits and in accordance with law after giving opportunity to the 6th respondent or any other interested parties and to take appropriate decision as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order .

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

ssi/dua

To:

- 1.The Regional Director,
Reserve Bank of India, Fort Glacis, No.16,
Rajaji Salai, Chennai - 600 001.
- 2.The Ombudsman,
Reserve Bank of India, Fort Glacis, No.16,
Rajaji Salai, Chennai - 600 001.
- 3.The District Collector,
Vellore District, Vellore.
- 4.The Bank Manager,
Union Bank of India, 2nd Floor, Regional Office,
No.139, Broadway, Chennai - 600 104.
- 5.The Branch Manager,
Union Bank of India, Vadukanthangal Branch,
Vadukanthangal, Vellore District.

+1cc to Mr.B.Gopalakrishnan, Advocate Sr.No.12418

+1cc to the Government Pleader Sr.No.12792

W.P.No.3790 of 2022

KK(CO)
RVM(24/03/2022)