



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.4409 of 2022

D.Leela

..Petitioner

vs.

1. The Superintending Engineer,
O/o. The Superintending Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd., (TANGEDCO),
Villupuram Electricity Distribution Circle,
Villupuram.

2. The Assistant Executive Engineer (O&M),
O/o. The Assistant Executive Engineer (O&M),
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd., (TANGEDCO),
Tiruchitrambalam, Vanur Taluk,
Villupuram District.

3. Mrs.Anthony Mary Clarence,
(R3 impleaded vide order dated 16.03.2022
made in WMP.No.5759 of 2022)

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 22.01.2021 to disburse the Final Monetary Benefits of Late D.Madhavan, Junior Engineer, TANGEDCO, Tiruchitrambalam to the petitioner, who is one of the Legal Heirs of the deceased employee of TANGEDCO, Late D.Madhavan in the interest of justice.

For Petitioner : Mr.B.Amardeep

For Respondents 1 & 2 : Mr.P.Subramanian,
Standing Counsel

O R D E R

By consent, this Writ Petition is taken up for final disposal. The prayer in the writ petition is for a Mandamus directing the first respondent to consider the representation of the petitioner dated 22.01.2021 to disburse the Final Monetary



Benefits of Late D.Madhavan, Junior Engineer, TANGEDCO, Tiruchitrambalam to the petitioner, who is one of the Legal Heirs of the deceased employee of TANGEDCO, Late D.Madhavan.

2.The case of the petitioner is that she is the mother of late D.Madhavan, who died on 18.05.2011, while he was in service as Junior Engineer, TANGEDCO, Tiruchitrambalam and the petitioner filed a Suit in O.S.No.364 of 2011, praying for Declaration to declare that the petitioner and her daughter-in-law, who is the wife of Late D.Madhavan, as his legal heirs to equally receive the final benefits of petitioner's son late D.Madhavan and vide judgment and decree dated 25.10.2018, the Suit was decree in their favour. Based on the said judgment and decree, the petitioner has made a representation dated 22.01.2021 to the first respondent to disburse 50% of the monetary benefits payable to the petitioner's son late D.Madhavan and since the representation of the petitioner is kept pending without passing any orders, the petitioner has filed the present writ petition.

3.The daughter-in-law of the petitioner has also been impleaded as third respondent in the present writ petition.

4.Heard the learned counsel for the petitioner and Mr.P.Subramanian, learned Standing Counsel for the respondents 1 and 2.

5.Considering the limited scope of prayer sought for by the petitioner, this Court, without expressing anything on merits, directs the first respondent to consider the petitioner's representation dated 22.01.2021 by taking into consideration the judgment and decree dated 25.10.2018 in O.S.No.364 of 2011 passed by the District Munsif Court, Villupuram and also after affording opportunity to the petitioner as well as the third respondent, shall pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Jvm



1. The Superintending Engineer,
O/o. The Superintending Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd., (TANGEDCO),
Villupuram Electricity Distribution Circle,
Villupuram.

- W.P.No.4409 of 2022

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