



WEB COPY



W.P.No.20386 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2022

CORAM

THE HONOURABLE Mr.JUSTICE D. KRISHNAKUMAR

W.P.No.20386 of 2020

and

WMP.No.25164 of 2020

M.Mariyammal

...Petitioner

Vs.

1. The Engineer-in-Chief,
Water Resources Organization,
Public Works Department,
Chepauk, Chennai 600 005.
2. The Superintending Engineer,
Public Works Department,
Ground Water Division,
Tharamani 600 113.
3. The Superintending Engineer,
Water Resources Organization,
Kosasthalayar Division,
Thiruvallur 602001.
4. The General Manager,
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chindathiripet,
Chennai 600 002.

Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution



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of India, seeking for a Writ of Mandamus, directing the respondents herein to consider the case of the petitioner for settling all the service benefits of the petitioner's husband, who died in harness on 11.09.1976 with admissible rate of interest within a time frame as fixed by this Court.

For Petitioner : Mr.A.R.Suresh

For Respondents

for RR1 to 3 : Mr.T.Arukumar, AGP

for R4 : Mr.C.Vigneswaran

ORDER

This petition has been filed for issuance of a Writ of Mandamus, directing the respondents herein to consider the case of the petitioner for settling all the service benefits of the petitioner's husband, who died in harness on 11.09.1976, with admissible rate of interest, within a time frame as may be fixed by this Court.

2. According to the petitioner, her husband was working as a Machine Operator in the Ground Water Division of Public Works Department, Water Resources Organization Panchetti, Ponneri Taluk. While he was in service, he died on 11.09.1976 due to-ill health. She is



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an illiterate woman and she does not know about the legal entitlements like Family Pension, Provident Fund Gratuity and Compassionate Ground Appointment. In the year 2003, on the advice of some well-wishers, she made a representation to the Government to get the death benefits of her husband. Though very many communications have been received from the respondents, but till date, the death benefits have not been settled.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Standing Counsel appearing for the fourth respondent submitted that the petitioner has not produced any records to show her husband's employment with the respondents and hence, her request cannot be considered.

4. Though it is stated by the learned counsel for the petitioner that the petitioner's husband was working in the respondent/Department, no relevant material has been placed by the petitioner before the respondents or even before this Court. Hence, this Court is not able to consider the request of the petitioner for granting family pension or other death benefits, which are eligible to a Government Employee.



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Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed. However, if the petitioner secures any record to show her husband's employment with the respondent/Department, she is at liberty to approach the authorities concerned with the said records.

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Index : Yes/No
pvs

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D. KRISHNAKUMAR.J.,

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