



W.P.No.16761 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.16761 of 2020
and W.M.P.No.20773 of 2020

M.D.Vasanth

.... Petitioner

-Vs-

1.The Chairman
Tamil Nadu Electricity Board Tamil Nadu
Generation and Electricity Distribution
Corporation Ltd. Anna Salai Chennai 600 002.

2.The Superintending Engineer
Central Construction Circle-II TANTRANSCO
Tamil Nadu Electricity Board A10 Thiru Vi.
Ka. Industrial Estate Guindy Chennai 600032.

3. Kalavathi

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to disburse the petitioner's son D.Ravindran's death-cum-retirement benefits to the petitioner.

For Petitioner : Ms.R.Hemalatha
for Mr.C.Prakasam

For Respondents : Mr.P.Subramanian,
Standing Counsel – for RR 1 and 2

ORDER



W.P.No.16761 of 2020

The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 and 2 to disburse the petitioner's son D.Ravindran's death-cum-retirement benefits to the petitioner.

2. The petitioner's husband one M.Duraisamy was working in the respondent organization and died due to accident on 27.03.1995. Thereafter, the son of the deceased one D.Ravindran was given compassionate appointment by the respondent organization as Draghtsman. He also suddenly died on 03.02.2019.

3. Now, the mother of the deceased D.Ravindran has filed this writ petition after giving a representation on 17.10.2019 to the respondent organization to release the death-cum-retirement benefits of the deceased employee, where the third respondent being the wife of the deceased has been arrayed as a party respondent.

4. Heard Ms.R.Hemalatha learned counsel for the petitioner, who would submit that the representation in this regard submitted by the petitioner dated 17.10.2019 if it is directed to be considered by the respondent after hearing both the petitioner as well as the third respondent and a decision is taken with regard to the disbursement of the death-cum-retirement benefits of the deceased



W.P.No.16761 of 2020

employee, who is the husband of the third respondent and son of the petitioner within a time frame, that would be suffice to the petitioner, she contended.

5. Heard Mr.P.Subramanian, learned Standing Counsel appearing for the respondents 1 and 2 who would submit that if it is the claim made by the mother of the deceased employee and the wife of the deceased employee is also making a claim, who has already been arrayed as third respondent in this writ petition, after hearing both the parties, the representation dated 17.10.2019 would be considered and decided on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Having regard to the said submission made by both parties and taking into account the factual matrix as projected by the learned counsel for the petitioner, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the respondents especially the second respondent to consider the representation of the petitioner dated 17.10.2019 after hearing both the petitioner as well as the third respondent and pass orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.”



W.P.No.16761 of 2020

R. SURESH KUMAR, J.

KST

7. With the above direction, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

19.09.2022

Index : Yes/No
Internet : Yes/No
KST
To

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