



WEB COPY



W.P.No.28515 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28515 of 2022

1. Venda.N.
2. Santhosh
3. Sandeep
Minors rep. by their natural mother
and guardian Mrs.Venda.N.,
W/o Late A.D.Poornachandran

... Petitioners

Vs

1. Union of India,
rep. By General Manager,
Southern Railway, Park Town,
Chennai – 600 003.

2. Principal Chief Security Commissioner,
Railway Protection Force,
Southern Railway, Park town,
Chennai – 600 003.

3. The Security Commissioner cum
Principal Southern Railway,
RPF Training Centre, Khajamalai,
Tiruchchirappalli – 620023.

... Respondents



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Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to dispose of the representation of the petitioner dated 09.05.2022 and sanction Death cum Retirement Gratuity, Provident Fund, Central Government Group Insurance Scheme including compassionate appointment

For Petitioner ... Mr.I.Arokiasamy

For Respondents ... Mr.R.Rajesh Vivekananthan
Deputy Solicitor General of India

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to pass final orders on the 1st petitioner's representation dated 09.05.2022 requesting for sanction of Death cum Retirement Gratuity, Provident Fund, Central Government Group Insurance Scheme including compassionate appointment on account of the death of A.D.Poornachandran while he was in service.

2. Heard the learned counsel for the petitioners and Mr.R.Rajesh Vivekananthan, learned Deputy Solicitor General of India, accepts notice on behalf of the respondents. By consent of the parties, the main writ petition has been taken up for final disposal.



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3. The 1st petitioner claims to be the wife of the deceased A.D.Poornachandran who was employed in the Railways. The 2nd and 3rd petitioners are her children. They claim that even though A.D.Poornachandran died on 25.11.2021, till date, despite production of all documents, the respondents have not sanctioned the Death cum Retirement Gratuity, Provident Fund, Central Government Group Insurance Scheme, payable on account of the death of A.D.Poornachandran. The 1st petitioner also seeks for compassionate appointment. She has given representation on 09.05.2022 for the aforementioned purposes. Since the representation has not been considered till date, they have filed this writ petition.

4. No prejudice would be caused to the respondents if the 1st petitioner's representation as stated supra is considered on merits and in accordance with law within the time frame to be fixed by this Court after affording a fair hearing to the petitioners as well as any other legal heirs of the deceased A.D.Poornachandran who died in service.

5. For the forgoing reasons, this Court directs the 2nd and 3rd respondents to pass final orders on the 1st petitioner's representation dated 09.05.2022 seeking for sanction of Death cum Retirement Gratuity,



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Provident Fund, Central Government Group Insurance Scheme and for compassionate appointment, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order after affording a fair hearing to the 1st petitioner as well as any other legal heirs of the deceased A.D.Poornachandran.

6. With the aforesaid direction, the Writ Petition is disposed of. No costs.

28.10.2022
(1/2)

Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

1. General Manager, Union of India,
Southern Railway, Park Town,
Chennai – 600 003.
2. Principal Chief Security Commissioner,
Railway Protection force,
Southern Railway, Park town,
Chennai – 600 003.
3. The Security Commissioner cum
Principal Southern Railway,
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ABDUL QUDDHOSE, J.

vsi

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