



W.P.No.22389 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.22389 of 2022  
and  
W.M.P.No.21509 of 2022

M.Parthasarathy

... Petitioner

Vs.

1.The Director of Primary Health Center,  
Teynampet, Chennai.

2.The Deputy Director Health Service,  
Tamarapakkam Road, Ekadu,  
Tiruvallur,  
Tamil Nadu - 602 001.

3.The Director Health Officer,  
Primary Health Center, Naravarikuppam,  
Tiruvallur District.

... Respondents

**PRAYER:** Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to consider and dispose of the petitioner's representation dated 25.03.2022 by passing necessary or suitable direction to 2nd and 3rd respondents by passing orders for death cum retirement benefits of P.Hemavathi (Wife) to the Petitioner as mentioned in above affidavit by Health Department of Tamil Nadu Government within a stipulated time.



W.P.No.22389 of 2022

For Petitioner : Mr.K.V.Ramesh  
For Respondents : Mr.L.S.M.Hasan Fizal  
Additional Government Pleader

### **ORDER**

This Writ Petition has been filed for a mandamus seeking for a direction to the second and third respondents to pass final orders on the petitioner's representation dated 25.03.2022 in which he has claimed for the retirement benefits of his deceased wife P.Hemavathi, who was earlier working in the Health Department, Government of Tamil Nadu, within a time frame to be fixed by this Court.

2. The petitioner claims that his wife was a Staff Nurse in the Health Department. She died on 25.02.2020 while in service. The petitioner has not been paid with the retirement benefits payable to his deceased wife. He has given a representation on 25.03.2022 for the said purpose. Since the representation has not been considered till date, he has filed this Writ Petition.



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3. Heard, Mr.K.V.Ramesh, learned counsel for the petitioner and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for the respondents.

4. No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the second and third respondents to pass final orders on the petitioner's representation dated 25.03.2022, seeking for payment of retirement benefits payable to his deceased wife P.Hemavathi, who worked as a Staff Nurse in the Health Department, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to produce all the necessary documents as sought for by the respondents to enable the respondents to consider the same on merits and in accordance with law.



W.P.No.22389 of 2022

6. With the aforementioned directions, this Writ Petition is disposed

of. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

**31.10.2022**

Index : Yes/No  
Speaking Order : Yes / No  
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To

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W.P.No.22389 of 2022

**ABDUL QUDDHOSE. J.,**

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**W.P.No.22389 of 2022**

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