



WEB COPY



W.P.No.31265 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31265 of 2022

U. Sumathi

.. Petitioner

Vs.

- 1.The District Collector,
District Collectorate,
Salem District.
- 2.The Deputy Director of Rural Development
& Panchayat Raj,
Salem District, Salem.
- 3.The Executive Officer,
Ayothipattinam Town Panchayat,
Salem District.
- 4.The Commissioner,
Department of Town Panchayat,
Commissionerate of Town Panchayats,
Chennai – 600 028.
- 5.The Joint Director,
Department of Town Panchayat,
Commissionerate of Town Panchayats,
Chennai – 600 028.

.. Respondents



W.P.No.31265 of 2022

WEB COPY

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 05.04.2022 by granting death benefits, gratuity, provident fund along with pending salary.

For Petitioners : Mr.R. Rajesh Vivekananthan

For Respondents : Mr.P. Balathandayutham,
Special Government Pleader [R1 & R2]

Mr.G. Ragava Nayagam,
Government Advocate [R3]

Mr.M. Shajahan,
Special Government Pleader [R4 & R5]

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to consider and pass final orders on the petitioner's representation dated 05.04.2022, seeking for grant of death benefits, gratuity, provident fund, which is payable to the petitioner's deceased husband.



W.P.No.31265 of 2022

2. Heard the learned counsel for the petitioner. Mr.P.

Balathandayutham, learned Special Government Pleader, accepts notice on behalf of the first and second respondents, Mr.G. Ragava Nayagam, learned Government Advocate, accepts notice on behalf of the third respondent and Mr.M. Shajahan, learned Special Government Pleader, accepts notice on behalf of the fourth and fifth respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, her husband died during service. However, according to her, till date, the death benefits, gratuity and provident fund, have not been paid. In such circumstances, the petitioner has given a representation on 05.04.2022 to the respondents, requesting for the aforementioned payments. Since her representation has not been considered till date, she has filed this Writ Petition.

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



W.P.No.31265 of 2022

WEB COPY

5. For the foregoing reasons, this Court directs the third to fifth respondents to pass final orders on the petitioner's representation dated 05.04.2022 seeking for grant of death benefits, gratuity and provident fund, which is payable to her deceased husband Late P. Uthayasooriyan, who died while in service, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition stands disposed of. No costs.

24.11.2022

Speaking/Non-speaking order

Index: Yes/No

Internet: Yes/No

Sni



W.P.No.31265 of 2022

WEB COPY

To

- 1.The District Collector,
District Collectorate,
Salem District.
- 2.The Deputy Director of Rural Development
& Panchayat Raj,
Salem District, Salem.
- 3.The Executive Officer,
Ayothipattinam Town Panchayat,
Salem District.
- 4.The Commissioner,
Department of Town Panchayat,
Commissionerate of Town Panchayats,
Chennai – 600 028.
- 5.The Joint Director,
Department of Town Panchayat,
Commissionerate of Town Panchayats,
Chennai – 600 028.



WEB COPY



W.P.No.31265 of 2022

ABDUL QUDDHOSE,J.

Sni

W.P.No.31265 of 2022

24.11.2022