



WEB COPY

W.P.No.29407 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29407 of 2022

Palaniammal

... Petitioner

vs.

1 The Director,
Office of Local Fund Audit,
Combined Building at 4th Floor,
Nandanam, Chennai.

2 The Executive Officer
Special grade Town Panchayat,
Denkanikottai,
Krishnagiri District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondents to furnish the Quantum and particulars of death benefits of deceased M.Errappan by considering the petitioner's representation dated 24.01.2022 for the purpose of numbering the Succession Original Petition on the file of Sub Court, Denkanikottai, Krishnagiri District.



For Petitioner : Mr.S.Kumaresan
For Respondent 1 : Mr.V.Ravi,
Special Government Pleader
For Respondent 2 : Mr.N.Naveen Kumar,
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to furnish the particulars of the death benefits payable for the deceased employee M.Errappan.

2. Mr.V.Ravi, learned Special Government Pleader accepts notice on behalf of the first respondent and Mr.N.Naveenkumar, learned Government Advocate accepts notice on behalf of the second respondent. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The petitioner claims that she is the legally wedded wife of the deceased M.Errappan. According to her, she has filed an Original Petition before the Sub Court, Denkanikottai, Krishnagiri District seeking for Succession Certificate in respect of her deceased husband M.Errappan.



According to her, the details of the death benefits payable for the deceased employee Errappan have not been furnished by the respondents who are the employers of the deceased and hence, she is unable to number the said original petition. In such circumstances, she has given a representation on 24.01.2022 to the respondents requesting them to furnish the particulars of the death benefits of the deceased M.Errappan. Since the representation has not been considered till date, she has filed this writ petition.

4. Heard Mr.S.Kumaresan, learned counsel for the petitioner, Mr.V.Ravi, learned Special Government Pleader appearing for the first respondent and Mr.N.Naveen Kumar, learned Government Advocate appearing for the second respondent.

5. 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.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 24.01.2022 seeking for



particulars of the death benefits for the deceased M.Errappan on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order

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

08.11.2022

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Index: Yes/No

Speaking/Non-speaking orders



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To

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ABDUL QUDDHOSE, J.

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