



W.P.No.31605 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM

THE HONOURABLE Mr. JUSTICE ABDUL QUDDHOSE

W.P.No.31605 of 2022
and W.M.P.No.31058 of 2022

Alagan Tamizhmani

.. Petitioner

Vs.

The Managing Director
350, Panthian Road
Tamil Nadu Handloom Weavers
Co-operative Society Limited
(Co-Optex Head Office)
Chennai - 600 008.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to immediately release the terminal benefits of late Mrs.Durgadevi to the petitioner.

For Petitioner : Mr.A.M.Venkata Krishnan

For Respondent : Mr.L.S.M.Hasan Fizal
Additional Government Pleader



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WEB COPY

ORDER

This Writ Petition has been filed for a Mandamus, seeking for immediate release of terminal benefits payable to Mrs.Durgadevi, to the petitioner herein, within a time frame to be fixed by this Court.

2. Mrs.Durgadevi is the petitioner's wife, who was an employee under the respondent initially as a Sales Women and subsequently rose to the level of Manager. Due to the pendency of criminal case registered under Sections 408, 477A and 109 IPC., Mrs.Durgadevi was not paid her the terminal benefits.

3. According to the petitioner, his wife Durgadevi is no more and the criminal case which was earlier filed against her, had also ended in acquittal vide orders of the learned Magistrate, XI Metropolitan Magistrate Court, Saidapet in C.C.No.1317 of 1988. Since Mrs.Durgadevi has been acquitted and the petitioner being the husband of the deceased, he claims that he is entitled to receive the terminal benefits and pension benefits of late Mrs.Durgadevi. He has given a representation on 08.12.2021 to the respondent for the said purpose.



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Since the representation has not been considered till date, he has filed the writ petition.

4. Heard Mr.A.M.Venkata Krishnan, learned counsel for the petitioner. Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader accepts notice on behalf of the respondent.

5. No prejudice would be caused to the respondent, if the representation of the petitioner as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 08.12.2021 seeking for the release of terminal benefits including the family pension payable to his wife late Mrs.Durgadevi, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the aforesaid directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

25.11.2022

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

To:

The Managing Director
350, Panthian Road
Tamil Nadu Handloom Weavers
Co-operative Society Limited
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Chennai - 600 008.



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ABDUL QUDDHOSE.J.,

ds

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