



W.P.No.30333 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30333 of 2022

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V.Manimegalai

.. Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Nagapattinam District.

2. The Tahsildar,
Office of the Tahsildar,
Mayiladuthurai,
Nagapattinam District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to pay the arrears of salary for the period from July 2015 - June 2016 and other consequential monetary benefits that the husband of the petitioner entitled.

For petitioner : M/s.S.Meenakshi

For respondents: Mr.N.Naveen Kumar, Govt. Advocate

ORDER

This Writ Petition has been filed for a Mandamus to direct the respondents to pay the arrears of salary to the petitioner for the period from July 2015-June



2016 and other consequential monetary benefits that the husband of the petitioner is entitled to.

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2. Even though positive direction has been sought for in this Writ Petition, learned counsel for the petitioner submitted on instructions that the petitioner will be satisfied if her representation is considered on merits and in accordance with law within at time frame to be fixed by this Court.

3. The petitioner's grievance is that her husband who was working in the second respondent's office, ought to have retired from service only on 30.06.2016, but he was forced to retire even on 30.06.2015 itself, thereby, losing salary from July 2015 to June 2016 and also losing the other consequential monetary benefits. The petitioner has filed documents/proceedings issued by the respondents, along with this Writ Petition to show that the actual date of retirement of the petitioner's husband Mr.V.Veeramani, was only on 30.06.2016, but he was forced to retire as early as on 30.06.2015 itself. It is for the respondents to consider the said documents on merits and in accordance with law and thereafter decide on the petitioner's representation. The petitioner who is the wife of the deceased employee Veeramani, has to give a fresh representation to the respondents for the relief she has sought for in this Writ Petition. No prejudice would be caused to the respondents, if the representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

4. For the reasons stated above, this Court directs the petitioner to submit



a fresh representation to the second respondent requesting payment of arrears of salary which was payable to her husband Veeramani, who is no more, for the period from July 2015 to June 2016 and also for payment of other consequential monetary benefits of her husband who is entitled to the same for the said period, within a period of one week from the date of receipt of a copy of this order, and on receipt of such a representation from the petitioner, the second respondent shall pass final orders on merits and in accordance with law, within a period of eight weeks thereafter.

5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

16.11.2022

CS

To

1. The District Collector,
Office of the District Collector,
Nagapattinam District.
2. The Tahsildar,
Office of the Tahsildar,
Mayiladuthurai,
Nagapattinam District.



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ABDUL QUDDHOSE, J

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