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W.P.No.32796 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32796 of 2022

V.Pounammal @ Ponammal

... Petitioner

Vs.

1. The Assistant Executive Engineer,
Public Works Department,
(Building & Maintenance),
Medical Works,
DMS Complex, Chennai - 600 006.

2. The Executive Engineer,
Public Works Department,
(Building & Maintenance),
Medical Works,
Chepauk, Chennai - 600 005.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse Provident fund, death benefit, Pension and other benefits of the deceased petitioner's son V.Loganathan to the petitioner herein on the basis of the representation made by the petitioner to the respondents dated 23.12.2021.



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For Petitioner : Mr.B.Govindaprabu
For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.Stalin Abimanyu, learned Additional Government Pleader accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to disburse Provident fund, death benefits, pension and other benefits of V.Loganathan to the petitioner based on the petitioner's representation dated 23.12.2021.

4. According to the petitioner, V.Loganathan is her son and was employed in Public Works Department. According to her, ever since 2015, he has been found missing and therefore, he is presumed to be dead. However, according to the petitioner, till date V.Loganathan's, Provident Fund, death benefits, pension and other benefits have not been disbursed.



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In such circumstances, the petitioner has given representation on 23.12.2021 to the respondents requesting them to disburse the said amount. Since the representation has not been considered till date, she has filed this writ petition.

5. Heard Mr.B.Govindaprabu, learned counsel for the petitioner and Mr.Stalin Abimanyu, learned Additional Government Pleader for the respondents.

6. No prejudice would be caused to 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.

7. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 23.12.2021, seeking for disbursement of the Provident Fund, death benefits, pension and other benefits of her son, within a period of twelve weeks from the date of receipt of a copy of this order.



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

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Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
ham/vsi2

To

1. The Assistant Executive Engineer,
Public Works Department,
(Building & Maintenance),
Medical Works,
DMS Complex, Chennai - 600 006.
2. The Executive Engineer,
Public Works Department,
(Building & Maintenance),
Medical Works,
Chepauk, Chennai - 600 005.



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ABDUL QUDDHOSE, J.

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