



W.P(MD)No.4353 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4353 of 2022

Tamilselvi

... Petitioner

Vs.

1.The Chief Secretary to Government,
Higher Education Department,
9th Floor, EVK Sambath Buildings,
College Road,
Chennai-600 006.

2.The Director of Collegiate Education,
9th Floor, EVK Sambath Buildings,
College Road,
Chennai-600 006.

3.The Registrar,
Annamalai Univesity,
Chidambaram,
Cuddalore District.

4.The Principal
Government Arts and Science College,
Kovilpatti,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 4 to disburse all the retirement and terminal benefits viz., Gratuity, Provident



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Fund and other benefits, due to the petitioner's husband within a time frame along with statutory interest as this Court may fixed time.

For Petitioner : Mr.S.Prabhu

For R1, R2 & R4 : Mr.

ORDER

Heard the learned counsel on either side.

2. The writ petitioner is the wife of one Ponnulingam. He was appointed as Lecturer in Physical Education and Sports Science in Annamalai University on 28.01.2005. The copy of the appointment order has been enclosed in the typed set of papers. He was identified as surplus teacher and deputed to work in the fourth respondent college. The deputation period started from 02.02.2018 to 11.06.2021. When he was serving in the fourth respondent institution, pandemic struck and Ponnulingam died due to Covid-19.

3. All that the petitioner seeks disbursement of her husband's retirement and terminal benefits.

4. The learned Special Government Pleader informs the Court that the service particulars and register regarding Ponnulingam have also been sent to the Annamalai University.



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5. The petitioner has also enclosed the legal heir certificate. It indicates that two children namely Surya and Pavitra were born to the couple. Both of them have attained majority.

6. The third respondent is directed to quantify the benefits payable to the legal heirs of late Ponnulingam and disburse the same within a period of twelve weeks from the date of receipt of a copy of this order. If disbursement is made within twelve weeks, it will not carry any interest. If there is delay, then disbursement will carry interest at the rate of 6% per annum with effect from 11.09.2021.

7. It is stated by the learned standing counsel for Annalamalai University that a sum of Rs.3,00,000/- and a sum of Rs.13, 060/- has already been paid towards Family Benefit Fund and Special Provident Fund respectively. If there is any balance amount to be paid, it shall be disbursed within the aforesaid period.

8. The Writ Petition is allowed. No costs.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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