



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.13639 of 2020

A.Akeer Basha : Petitioner

Vs.

- 1.The Secretary to Government of Tamil Nadu,
Ministry of Medical and Rural Health Services,
St.George Fort,
Secretariat, Chennai - 600 104.
- 2.The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
DMS Complex,
Thenampettai,
Anna Salai,
Chennai - 600 002.
- 3.The Accountant General (Accounts and Entitlement),
Office of the Accountant General (Pension and Entitlement),
No.361, AG Complex,
Anna Salai,
Thenampettai,
Chennai - 600 002.
- 4.The Joint Director of Medical and Rural Health Services,
Office of the Joint Director of Medical and Rural
Health Services,
Thuraiyur - Perambalur Main Road,
Perambalur District - 621 212.
- 5.The Chief Civil Surgeon (Medical Officer),
Government Hospital / MF - 322,
Jeyankondam,
Udaiyarpalayam Taluk,
Ariyalur District - 621 802.
- 6.The Sub-Treasurer,
Office of Sub-Treasury,
Jeyankondam Taluk Office Campus,
Jeyankondam,
Ariyalur District.



7.The Thasildar,
Taluk Office (West),
Trichirappalli District - 620 001.

8.The Branch Manager,
Bandhan Bank,
No.M-4, Thillainagar,
Trichirappalli District - 620 018.

9.S.Basiria

10.A.Salmankhan

11.A.Satham Hussain

12.A.Syed Hussain

: Respondents

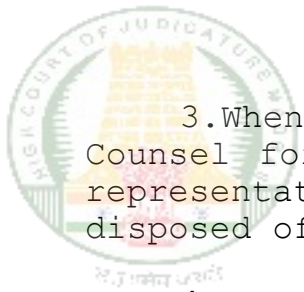
PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus directing the respondents 1, 2, 4 & 5 to disburse the death benefits of deceased B.ANARKALI vide employment code No.052/ANM/Auxiliary Nursing Midwife to the petitioner in his savings bank Account No.50100004965149, IFSC No.BDBL0001620, MICR No.620750002, Bandhan Bank, Thillainagar Branch, Trichirappalli District / 8th respondent, by considering the petitioner's representation dated 08.07.2020, with interest at the rate of 8% pa from the date of representation.

For Petitioner : Mr.R.Suresh Kumar
For Respondents : Mr.J.Ashok,
Additional Government Pleader
for R.1 to R.7

ORDER

Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 7.

2.According to the petitioner, his mother's sister, namely, B.Anarkali, worked as Auxiliary Nursing Midwife at Government Hospital, Jeyankondam, Udaiyarpalayam Taluk, Ariyalur District. The said B.Anarkali is no more. She was unmarried and had no issues. She has mentioned the petitioner and his brother as her legal heirs in all the records. The petitioner's brother, namely, A.Sabir died and the petitioner is having a legal heirship certificate showing himself and the respondents 9 to 12, ie., the wife and sons of his brother, as the legal heirs. Along with the legal heirship certificate, the petitioner has made a representation dated 08.07.2020 to the official respondents to disburse the death benefits of deceased B.Anarkali. Since there is no proper response, he has filed the present writ petition.



3. When the matter is taken up for hearing today, learned Counsel for the petitioner submitted that it would suffice if the representation of the petitioner dated 08.07.2020 is directed to be disposed of, within a stipulated time limit.

4. In view of the limited scope of the relief sought for, this Court, without expressing anything on the merits of the case, directs the official respondents, more particularly, the 2nd respondent, to consider the petitioner's representation dated 08.07.2020 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the other legal heirs, ie., respondents 9 to 12 and other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

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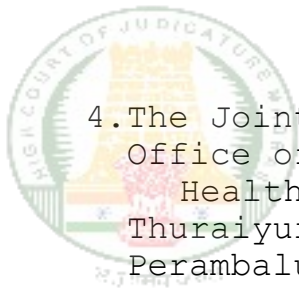
/ /2022

Sub Assistant Registrar(CS)

gk

To

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+1 CC to M/s.R.SURESH KUMAR, Advocate (SR-1030[F] dated
10/01/2022)

+1 CC to M/s.SPL GP (SR-1247[F] dated 11/01/2022)

W.P. (MD) No.13639 of 2020
07.01.2022

SP (CO)
GC(10.02.2022) 4P 10C