



W.P(MD)No.25970 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25970 of 2022

Ansalam Thenmozhi

... Petitioner

Vs

The District Collector,
Office of the District Collector,
Kokkila Kulam Road,
Near Science Centre,
Kokkirakulam,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to provide the service benefits, all monetary allowance, subsistence allowance and other allowance of petitioner's husband Late. Lazar Antony Selvaraj, who worked as Village Administrative Officer prior to his suspension by considering the representation sent by the petitioner, dated 06.10.2022 within a time frame that may be fixed by this Court.

For Petitioner : Mr.Niranjan S.Kumar

For Respondent : Mr.A.K.Manikkam
Special Government Pleader



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W.P(MD)No.25970 of 2022

ORDER

Heard the learned counsel on either side.

2. The petitioner's husband was working as Village Administrative Officer. He was implicated in a vigilance case. He was eventually convicted and suspended. He filed criminal appeal before this Court. During the pendency of the appeal, he passed away. Instead of continuing the appeal by stepping into his shoes the petitioner chose to treat the matter as closed. The petitioner now wants disbursement of the benefits payable to her husband. It is not clear as to whether the petitioner was paid subsistence allowance from the date of his suspension till date of his dismissal from service. Even a dismissed employee is entitled to certain benefits; the petitioner as the legal heir cannot be denied the same. The petitioner has given a representation in this regard.

3. The respondent is directed to enquire into the same and pass final order on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. If at the end of the enquiry it is found that the payments will have to be made to the petitioner, appropriate proposals will be prepared by the respondents or by the concerned authority and the same



W.P(MD)No.25970 of 2022

will also be disbursed within a period of eight weeks thereafter. This writ petition is disposed of accordingly. No costs.

17.11.2022

Index : Yes / No
Internet : Yes/ No
mga

To

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G.R.SWAMINATHAN, J.

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