



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.24765 of 2019

WEB COPY

P.Chandra

... Petitioner

vs.

1.The Principal Chief Conservator of Forest
Office of the Principal Chief Conservator of Forest
Chennai

2.The Forest Conservator
Trichy Region, Trichy

3.The District Forest Officer
Pudukkottai District
Pudukkottai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to disburse the death-cum-pensionary benefits with arrears of pension and other monetary benefits accrued with interest to the service of deceased husband of petitioner since 23.06.2016 together with interest at 12% p.a to the petitioner as per the representation of the petitioner dated 26.09.2016, 27.11.2017 and 26.04.2018.

For Petitioner : Mr.K.Appadurai
For Respondents : Mr.M.Ramesh
Government Advocate

O R D E R

The relief sought for in this writ petition is to direct the respondents to disburse the death-cum-pensionary benefits, payable to the petitioner's husband, with arrears of pension and other monetary benefits with accrued interest to the petitioner based on her representations dated 26.09.2016, 27.11.2017 and 26.04.2018.

2. The petitioner states that her husband Balu was appointed as Plot Watcher on 01.04.1990 in Varusanadu Soil Conservation Division, Theni Range. Due to ill health, he died on 23.06.2016 while he was in service. However, the petitioner's husband was initially appointed as Plot Watcher on daily wage basis and his services were not regularized at the time of his death.

3. The learned Government Advocate appearing for the



respondents made a submission that in view of the fact that the services of the petitioner were not regularized, the petitioner is not eligible for any terminal or pensionary benefits as applicable to the regular employees.

4. The learned counsel for the petitioner made a submission that eligible benefits, if any, may be directed to be paid to the petitioner.

5. This Court is of the considered opinion that if any amount is due to be paid to the deceased employee or his contribution or otherwise, the same may be considered to be released to the petitioner. However, the petitioner's husband is not eligible for pensionary benefits on par with the other regular employees since at the time of death, he was a daily wage employee.

6. With the above observations, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Principal Chief Conservator of Forest,
Office of the Principal Chief Conservator of Forest,
Chennai.

2.The Forest Conservator,
Trichy Region, Trichy.

3.The District Forest Officer,
Pudukkottai District,
Pudukkottai.

+1 CC to M/s.K.APPADURAI, Advocate (SR-22295[F] dated 28/04/2022)

+1 CC to M/s.SPL. GP (SR-22947[F] dated 29/04/2022)

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RD(11.05.2022) 2P 6C