



W.P.No.4637 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4637 of 2023

1.A.Selvi

2.A.Manikandan

3.A.Boobathi

... Petitioners

Vs

1.The Joint Director of School Education
(Establishment),
Chennai – 600 006.

2.The Chief Educational Officer,
Erode, Erode District.

3.The District Educational Officer,
Gopichettipalayam,
Erode District.

4.The Tahsildar,
Bhavani,
Erode District.

5.The Head Master,
Government Higher Secondary School,
A.Puthupalayam,
Bhavani Taluk,
Erode District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to grant family pension to the first petitioner compassionate appointment to the second petitioner and also to settle the eligible terminal benefits to the petitioner consequent of the death of the husband of the first petitioner Ammasai on 29.01.2021 and on the basis of the petitioner's representation dated 13.06.2022 and 04.07.2022.

For Petitioners : Mr.M.Gnanasekar

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

Heard Mr.M.Gnanasekar, learned counsel for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader for the respondents.

2.The writ petition has been filed seeking for a direction to respondents 1 to 4 to grant family pension to the first petitioner, compassionate appointment to the second petitioner and also to settle the eligible terminal benefits to the petitioners consequent to the death of the husband of the first petitioner Ammasai on 29.01.2021 and on the basis of the petitioners' representation dated 13.06.2022 and 04.07.2022.



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3.The first petitioner's husband Ammasai was an employee of the fifth respondent School. He died in harness on 29.01.2021. Prior to the marriage of the first petitioner with the employee late Ammasai, her husband had earlier married the first petitioner's sister. However, they did not have any children and the first petitioner's sister also died on 10.08.2020. The DCRG and terminal benefits were not released to the petitioner, which prompted her in filing of the writ petition.

4.When the writ petition was pending, the Revenue Divisional Officer had conducted an enquiry and ascertained the legal heir status of the petitioners and others. As per the final report of the Revenue Divisional Officer dated 15.06.2023, the petitioners are the only legal surviving heirs of late Ammasai.

5.In view of the Revenue Divisional Officer's report, there cannot be any impediment on the part of the respondents to release the terminal benefits in favour of the petitioners herein.



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M.S.RAMESH,J.

vga

6. Accordingly, there shall be a direction to the first respondent to release the DCRG and other terminal benefits to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands allowed. No costs.

20.06.2023

Index: Yes/No

Speaking order/Non-speaking order

vga

To

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