



WEB COPY



WP.No.15522 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.15522 of 2021

1. Tmt. A.N.Ramadevi,

2. Minor. Bhuvana,

3. Minor Suriya Balaji

...

Petitioners

/vs/

1. The Chairman,

Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -1.

2. The Director,

Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -1.

3. The Chief General Manager,

Mine II. Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -2.

4. The Deputy General Manager (Finance)

Neyveli Lignite Corporation Limited,

Corporate Office, Neyveli -2.

...

Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the 1st respondent The Chairman, Neyveli Lignite Corporation, Neyveli 1 to disburse the remainder $\frac{1}{4}$ of the P.F. Deposit and along with the accrued interest till date in favour of the petitioner.



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For Petitioner : M/S.A.N.Ramadevi- Party in person.

For Respondents : Mr.N.Nithiandam

ORDER

This Writ Petition has been filed seeking to direct the 1st respondent The Chairman, Neyveli Lignite Corporation, Neyveli-1 to disburse the remaining $\frac{1}{4}$ th of the Provident Fund Deposit and along with the accrued interest till date in favour of the petitioner.

2. It is necessitated the petitioner to file this Writ Petition in view of the letter dated 17.11.2022 sent by the 3rd respondent by seeking the order of the Court in view of the earlier order passed in WP.No.23969/2013 on 27.06.2019. In the earlier order itself, the petitioners therein have claimed $\frac{1}{4}$ th share of the total emoluments in both DCRG and PF. However, the Court has chosen to grant only the following relief:

“7. Taking note of the above submissions, this Court passes the following order:

(i) Out of the one fourth gratuity amount lying in deposit, three Petitioners herein as well as the 5th Respondent herein are each entitled to $\frac{1}{4}$ th share and the same shall be disbursed to them within a period of



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one month from the date of receipt of a copy of this order;

(ii) Further, as agreed, Petitioners herein shall pay a sum of Rs.2,00,000/ (Rupees Two Lakhs only) in toto, to the 5th Respondent herein and the same shall be deposited in the names of Respondents 6 and 7 equally in any one of the Nationalized Banks, initially for a period of one year, renewable thereafter periodically, till the minor children attain majority; the interest accrued thereon shall be withdrawn by the 5th Respondent, mother of the minor children, once in a year, to meet out their educational expenses. “

3. When the court has not chosen to grant any relief in respect of Provident Fund for the petitioners in WP.No.23969/2013 by making it specific, the respondent authorities need not seek any further orders from the Court to disburse the Provident Fund amount to the petitioner, they are the rightful legal heirs of the deceased P.Sivakumar. In fact, the petitioner in the above mentioned petition also has not so far filed any review petition or clarification with regard to Provident Fund.

4. Since the letter dated 17.11.2022 has been issued by not properly construing the impact of the earlier order, the respondents need not wait for any further orders from the court.



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5. With the above observation, this Writ Petition is disposed of. No costs.

The respondents are directed to disburse the $\frac{1}{4}^{\text{th}}$ share of the P.F. deposit, along with interest, if any accrued thereon, in favour of the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

28.11.2023

Index : Yes
Internet : Yes/No
jrs



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To

1. The Chairman,
Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -1.
2. The Director,
Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -1.
3. The Chief General Manager,
Mine II. Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -2.
4. The Deputy General Manager (Finance)
Neyveli Lignite Corporation Limited,
Corporate Office, Neyveli -2.



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R.N.MANJULA, J.
jrs

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