



W.P. No. 12154 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 12154 of 2023

R.Visalakshi

... Petitioner

-VS-

1. The Assistant Director
Municipalities / Town Panchayat
Salem Zonal, Salem
Salem District.

2. The Executive Officer
PN Patti Town Panchayat
Mettur Taluk, Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to sanction and pay the terminal benefits and salary payable to the Petitioner's late husband worked as a Bill Collector in Second Respondent office to the Petitioner by considering her representation on 15.04.2021.



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For Petitioner : Mr. M.Elango
For Respondents : Mr. S.Rajesh (R1)
Government Advocate
Dr. T.Seenivasan (R2)
Special Government Pleader

ORDER

Heard Mr. M.Elango, Learned Counsel for the Petitioner and Mr. S.Rajesh, Learned Government Advocate, who takes notice for the First Respondent, and Dr. T.Seenivasan, Learned Special Government Pleader, who takes notice for the Second Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that she had made a representation dated 15.04.2021 to the Second Respondent to sanction and pay the terminal benefits and salary payable to her husband, viz., K.P.Rajendran, who worked as Bill Collector, but as it did not evoke any response, she has filed this Writ Petition.



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3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 15.04.2021 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and



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(vi) the report of such compliance shall be filed before the Registrar

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In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

20.04.2023

Maya

Index: Yes/No

NCS : Yes/No

Note: Issue order copy by 28.06.2023

To

1. The Assistant Director
Municipalities / Town Panchayat
Salem Zonal, Salem
Salem District.
2. The Executive Officer
PN Patti Town Panchayat
Mettur Taluk, Salem District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

Maya

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