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W.P.No.13037 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2023

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.13037 of 2023

Palani

...Petitioner

Vs

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai.
2. The Zonal Officer
Zone – VIII,
Greater Chennai Corporation, Chennai.
3. The Assistant Executive Engineer,
Division – 21, Zone -8,
Chennai Corporation, Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second Respondent herein to pay the gratuity provident fund earned leave benefits and Special saving amount payable on the death of the petitioner's wife Pushparani who served as Conservancy Labour under the 3rd Respondent herein within a time limit fixed by this Court to the petitioner as a nominee pursuant to the representation dated 27.03.2023 to the respondents .



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For Petitioner : Mr. T. Muruganantham
For Respondent : Mr.S. Gopinath
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition seeking a direction to the second Respondent herein to pay the gratuity provident fund earned leave benefits and Special saving amount payable on the death of the petitioner's wife Pushparani who served as Conservancy Labour under the 3rd Respondent herein.

3. The case of the petitioner is that his wife worked as a Conservancy Labour under the 3rd Respondent herein and passed away on 09.01.2022. Thereafter, the death benefits of the deceased was not settled, due to which the petitioner has given a representation to the



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respondent and the same was not considered. Hence the petitioner filed W.P.No.23647 of 2022 and this Court vide order dated 06.09.2022 issued a direction to the authorities concerned to consider the representation of the petitioner and pass orders. Pursuant to which only the family pension was given and the other benefits were denied by the respondents. Thereafter, the petitioner has given a representation on 30.01.2023 to the third respondent. However the same was not considered. Hence this petition.

4. The learned counsel for the petitioner submitted that the petitioner would be suffice if the Court issues a direction to the respondent to consider the petitioner's representation and pass orders.

5. The learned Government Advocate appearing for the respondents submits that the representation of the petitioner will be considered on merits and in accordance with law.

5. Considering the facts of the case, this Court without expressing any merits of the case directs the second respondent to



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consider the representation of the petitioner and pass orders within a period of eight weeks from the date of receipt of a copy of this Order.

This writ petition is disposed of in the above terms. No costs.

27.04.2023

Index: Yes/No

Speaking order/Non-speaking order
smn

To

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V.BHAVANI SUBBAROYAN,J.

smn

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