



W.P.No.32660 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32660 of 2023

S. Parameshwari

... Petitioner

Vs.

1.The Commissioner,
Salem City Municipal Corporation,
Salem – 636 001.

2.The Assistant Commissioner,
Hasthambatty Ward Office,
Salem City Municipal Corporation,
Salem – 636 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to forthwith disburse the petitioner's deceased husband's remaining monetary benefits with permissible interest, to the petitioner based upon the petitioner's representation dated 18.10.2023.

For Petitioner : Mr.A. Manojkumar

For Respondents : Ms.N. Devi



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ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner's husband who was employed as unskilled worker in the first respondent/Corporation, was involved in a criminal case in SC.No.35 of 2009. In view of his involvement, he was temporarily dismissed from service. Thereafter, the Trial Court had acquitted her husband from all the criminal charges on 10.09.2009. In the meantime, the petitioner's husband had expired on 31.08.2019. When the petitioner had sought for revocation of her husband's temporary dismissal order and regularizing the service period when he was under temporary dismissal, the first respondent through his proceedings dated 13.09.2021, had cancelled all the charges levelled against him under Rule 8(2) and had also regularized the period between 14.09.2006 and 31.08.2019 and had further directed that the entire benefits should be disbursed to the petitioner.



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3. In this background, the petitioner now claims that out of the total amount of Rs.22,55,713/-, a sum of Rs.9,84,867/- is still due to be paid. Her representation given in this regard on 18.10.2023 to the respondents, has not been considered within a reasonable time and therefore, the present Writ Petition has been filed.

4. The learned counsel for the respondents, on written instructions, submitted that the respondents are in the process of disbursing the balance amount of Rs.9,84,867/- and therefore, sought for some time.

5. This Court is of the view that a period of six weeks would be reasonable enough for the respondent/Corporation for disbursing the benefits.

6. Recording the submission made by the learned counsel for the respondents, there shall be a direction to the respondents herein, to forthwith pass orders on the petitioner's representation dated



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18.10.2023 for disbursement of the balance amount of the Death cum Retirement benefits of the petitioner's husband namely late Selvam, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands ordered, accordingly. No costs.

20.11.2023

Index: Yes/No
Speaking order/Non-speaking order
Internet: Yes/No
Neutral Citation : Yes/No

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To



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M.S.RAMESH,J.

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