



W.P.(MD)No.6775 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6775 of 2023

1.Asakimuthu

2.Mariyammal

3.Subbulakshmi

... Petitioners

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Commissioner,
Aruppukottai Municipality,
Virudhunagar District.

3.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to take necessary steps to trace/find out the Service Register Book Gomathi, W/o.Guruvan, in view of representation dated 27.12.2022 within the stipulated time which this Court may deem fit and proper.



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For Petitioners : Mr.M.Jothi Basu

For Respondents : Mr.G.Suriyananth,
Addl. Govt. Pleader for R1 & R3.
Mr.N.Dilipkumar,
Standing Counsel for R2.

* * *

ORDER

Heard the learned counsel on either side.

2.The writ petitioners are legal heirs of the one Gomathi, W/o.Guruvan. She was working as Sanitary Worker in the second respondent local body. She died while in service in the year 2015. Though it is claimed by the local body that substantial part of terminal benefits have already been settled, it appears that the pension amount is still due to be paid. There was contest among the legal heirs and the said issue has now been resolved. At this stage, it came to be known that the service book of late.Gomathi is missing. The stand of the local body is that the service book was handed over to the employee. It is further stated that enquiry has been ordered as to how the service book was handed over.



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3.In my view, this controversy can be put to rest by directing the second respondent to trace the original service book within a period of eight weeks from the date of receipt of a copy of this order. Failing which, the service book of late.Gomathi, W/o.Guruvan can be reconstructed based on the available records. A reconstructed service book is as good as the original service register. This direction to the second respondent would more than address the concerns expressed by the writ petitioners. This direction to reconstruct the service register is being issued in the presence of Mr.K.Paranthaman who is working as Assistant in the second respondent municipality.

4.With the aforesaid direction, the writ petition is disposed of. No costs.

28.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN,J.

ias

To:-

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
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- 2.The Inspector of Police,
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(2/2)