



W.P.(MD).No.21330 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2023

CORAM

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.21330 of 2023**

K.Murugan

... Petitioner

Vs.

1.The Chairman,  
TANGEDCO,  
Chennai.

2.The Chief Engineer,  
Distribution,  
TANGEDCO,  
Tirunelveli.

3.The Superintending Engineer,  
Virudhunagar Electricity Distribution Circle,  
TANGEDCO,  
Virudhunagar.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to disburse the retirement benefits including Gratuity, Encashment of Earned and Unearned Leave, Pension etc., of the petitioner's deceased brother, namely, Late.K.Seenivasan in the light of the communication sent by the third respondent in Ka.No.07301/293/NiAa/NiMae/Ni.Bi. 2/Uh3/Ko.Mu.Tha.Manu/2023, dated 05.07.2023.



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For Petitioner : Mr.G.R.Satish

For Respondents : M/s.M.Parameswari  
Standing Counsel

### **ORDER**

The present writ petition has been filed seeking direction to the respondents to disburse the retirement benefits including Gratuity, Encashment of Earned and Unearned Leave, Pension etc., of the petitioner's deceased brother, namely, Late.K.Seenivasan in the light of the communication sent by the third respondent in Ka.No.07301/293/NiAa/NiMae/Ni.Bi. 2/Uh3/Ko.Mu.Tha.Manu/2023, dated 05.07.2023.

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

3. The petitioner's elder brother, namely, Seenivasan was working as a wireman in TNEB, Sethur, Rajapalayam Taluk, Virudhunagar District. Because of his physical ailments, he applied for Voluntary Retirement and was allowed to retire from service under Voluntary Retirement Scheme on 28.02.2003. In the meanwhile, the said employee's wife, namely, Guruvammal also passed



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away. While so, the petitioner's brother Seenivasan died on 22.10.2003.

However, the death benefits of the said employee were not disbursed to the petitioner. Hence, he filed a civil suit in O.S.No.96 of 2007 on the file of the learned District Munsif Court at Srivilliputhur. In which the order was passed in favour of the petitioner on 09.07.2015 and the said order was also confirmed by the learned Principal Sub-Judge, Srivilliputhur in A.S.No.15 of 2018. On that basis, the respondents had issued a sum of Rs.1,16,118/- towards the death benefit of the petitioner's brother on 17.06.2003. However, the other retirement benefits including Encashment of Earned Leave and Unearned Leave on private affairs, Gratuity etc., have not been disbursed to the petitioner so far. Hence, the petitioner made a representation on 21.06.2023. The same is of no avail. Hence, this writ petition came to be filed.

4. The learned Standing Counsel for the respondents pointing out the disbursement of an amount of Rs.1,16,118/- which has been paid already to the petitioner and she also submitted that the remaining amount will be paid accordingly when funds are allocated to the Board without any delay.

5. Recording the said contention, this writ petition stands disposed of and directing the respondents to consider the petitioner's representation, dated



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21.06.2023 and pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

**01.09.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
BTR

To

- 1.The Chairman,  
TANGEDCO,  
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- 2.The Chief Engineer,  
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- 3.The Superintending Engineer,  
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**L.VICTORIA GOWRI, J.**

BTR

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