



W.P.No.2302 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2302 of 2024

K.Mullaikodi

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Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by the Agricultural Production
Commissioner and Principal Secretary,
Agriculture Department,
Fort St.George, Chennai -600 009.

2. The Chief Engineer (Agricultural Engineering),
Anna Salai, Nandanam, Chennai – 600 035.

3. The Executive Engineer (Agricultural Engineering),
Thirukkokarnam, Trichy Road,
Pudukottai – 622 002.

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Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to disburse the terminal benefits with interest as per rules, payable in respect of the death of the petitioner's deceased husband V.Karunanidhi, formerly Assistant Executive Engineer (Agricultural Engineering), Aranthangi, Pudukottai, disciplinary proceedings against whom stood abated as on the date of his death, namely 11.10.2023 and grant him all consequential benefits.



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For Petitioner : Mr.P.Manoj Kumar

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to disburse the terminal benefits to the petitioner.

2. The learned counsel appearing on either side and perused the materials available on record.

3. The petitioner's husband was working as Assistant Executive Engineer (Agricultural Engineering), Aranthangi, Pudukottai. However, he was not permitted to retire from service and placed under suspension on 31.07.2009. The order of suspension is continued till his death i.e., on 11.10.2023. However, the disciplinary proceedings is also not yet completed and it is pending. Therefore, the retirement benefits were withheld on the ground of tendency of disciplinary proceedings and he was not paid with any subsistence allowance till his death. Therefore, the petitioner, being wife of the deceased employee, submitted a representation for seeking disbursal of gratuity and retirement benefits on account of demise of her husband. On receipt of the



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same, the third respondent forwarded the said request to the second respondent and it is pending.

4. Considering the above facts and circumstances of the case, the third respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

02.02.2024

Internet: Yes

Index : Yes/No

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To

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