



WEB COPY



W.A.No.2592 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM :

THE HON'BLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.A.No.2592 of 2024

1. V.Shanmugham
 2. V.Balaji
 3. Shanthi Ponganesan, formerly known as
Mrs. Pothiammal alias Shanti
- ... Appellants

Vs.

1. The Chief Secretary, Namakkal Kavignar,
Fort St. George, Chennai 600 026.
 2. The Commissioner, Ripon Building,
Greater-Chennai 600 003.
 3. The Executive Engineer,
Central Asphlt Plant, Chennai 600 031.
 4. Pay Account and Accounts Office,
(South) 485, Anna Salai, Nandanam,
Chennai 600 035.
- ... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 30.01.2024 passed in W.P.No.9300 of 2022 on the file of this court.



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For Appellants : Mr.R.Pushpalatha

For Respondents : Mr.S.Yashwanth, Addl.Govt.Pleader
for first respondent

JUDGMENT

(Order of the Court was made by the Hon'ble Acting Chief Justice)

The appellants/ writ petitioners have filed the present writ appeal, assailing the order passed by the learned Single Judge in W.P.No.9300 of 2022, dated 30.01.2024, in and by which their claim to release the death and terminal benefits of their father from 13.01.1990 was denied.

2. According to the appellants, their father was missing from 10.01.1990 and in this regard a complaint in Crime No.255 of 1990 was registered and also a decree for declaration, declaring that their father (P.Varadhan) deemed to be dead, was obtained from the civil Court in O.S.No.818/203, dated 08.10.2003. It is contended by the appellants that their father was the permanent employee of Corporation of Chennai and the salary slip issued for the month of November 1989 shows that his employment number was 666918 and he was working in the Chennai Corporation. The mother of the appellants passed away on 18.02.2018. Subsequently, the appellants had given a representation to the respondent



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officials seeking terminal benefits of their father, however, they have not considered the same. As such, the appellants filed the above writ petition and it was dismissed. Assailing the above order, the appellants are before this court.

3. We heard the learned counsel for the appellants and we have perused the materials available with the present appeal. Except the salary slip alleged to have been issued to the deceased Varadan by the Chennai Corporation, nothing is available to show that how many years he served in the Chennai Corporation, whether his employment is permanent or temporary in nature and whether his service was regularized one or not. Apart from that, after getting decree from the civil court on 08.10.2003, the appellants have approached this court seeking Writ of Mandamus only in the year 2022. In such circumstances, we are not inclined to entertain this writ appeal as it has no merits and the order of the writ court does not warrant any interference by this court.

4. Accordingly, this writ appeal is dismissed. There shall be no order as to costs.

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(D.K.K., A.CJ.)

(P.B.B.J.)

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Internet: Yes/No
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To

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