



W.P. No.24474 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

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THE HONOURABLE MS. JUSTICE R. N. MANJULA

W.P. No.24474 of 2021

1.V.Padma
2.V.Pradeep
3.V.Sandhiya

...Petitioners

Vs.

1.The Directors of Local Funds and Audits,
Chennai-600 108.

2.The District Collector,
Office of District Collector,
Thiruvannamalai,
Thiruvannamalai District.

3.The Thasildhaar,
Office of Thasildhar,
Polur,
Thiruvannamalai District.

4.The Thasildhar,
Office of Thasildhar,
Kalasapakkam,
Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for
the issuance of a writ of mandamus, directing the respondents to pay terminal



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benefits of the petitioners and family pension to the first petitioner with effect from 17.02.2011 i.e. the date of death of her husband worked as VAO (Venkatraman) Kidampalayam village in Polur Taluk Thiruvannamalai District and disburse the arrears with 18% interest forthwith and continue to pay same to 1st petitioner herein.

For Petitioner : Mr.C.Venkatesan

For Respondents : Mr.Yogesh Kannadan
Senior Government Pleader

ORDER

The writ petition is filed for the issuance of a writ of mandamus, directing the respondents to pay terminal benefits of the deceased and family pension to the petitioners with effect from 17.02.2011 i.e. the date of death of her husband worked as VAO (Venkatraman) Kidampalayam village in Polur Taluk Thiruvannamalai District and disburse the arrears with 18% interest forthwith and continue to pay same to 1st petitioner herein.

2. The deceased Venkatraman, who was working as a Village Administrative Officer had retired on superannuation and died on 17.02.2011. The deceased Venkatraman had married one Mary (first wife). The first wife of



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the deceased died on 30.01.2000. The petitioner said to have married the deceased Venkatraman during the subsistence of first marriage with Mary. The second and third petitioners have not been given with the terminal benefits. Therefore, the first petitioner made several representations to the respondent. Since the representation submitted by the first respondent did not evoke any response, the petitioner has filed the present writ petition.

3. Mr.C.Venkatesan, learned counsel for the petitioner submitted that after the demise of petitioner's husband, the first wife's son was given compassionate appointment and most of the terminal benefits have been settled to him. Second and third writ petitioners are the children of the first petitioner born to the deceased Venkatraman. He further submits that despite the second and third petitioners are also legal heirs of the deceased Venkatraman, they have not been paid with any terminal benefits of the deceased Venkatraman. In fact, in the order of the fourth respondent dated 20.09.2017, it is stated that second and third petitioners are also entitled to certain apportionment of terminal benefits of the deceased. However, the payment has been received by the son of the first wife. Therefore, a direction is sought against the respondents to disburse the terminal benefits of the deceased Venkatraman to the second and third petitioners.



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4. It is up to the second and third petitioners to approach the fourth respondent and get the amount apportioned to them as per the above orders. So far as the family pension is concerned, the respondents can only pass orders in accordance with the existing Government Orders and Rules in this regard. The first petitioner's representation dated 23.07.2021 has not been considered so far and orders have not been passed. Therefore, the respondents are directed to consider the representation of the first petitioner dated 23.07.2021, and pass orders within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition stands disposed of. There will be no order as to costs.

24.01.2024

Index : Yes / No

Internet : Yes/ No

mrn

To

1.The Commissioner of Collegiate Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai- 600 006.

2.The Chief Educational Officer,



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The Chief Educational Officer,
Dharmapuri.

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3. The District Educational Officer,
The District Educational Office,
Palacode, Dharmapuri District.
4. The Correspondent,
St. Mary's Highter Secondary School,
Harur- 636 903
Dharmapuri District.
5. The Correspondent
Sacred Heart Higher Secondary School
Selliampatty -636 809
Dharmapuri District



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R. N. MANJULA, J.

(mrn)

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