



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.22070 of 2021

Pasupathi

... Petitioner

Vs

1.The Principle Account General,
(Accountant and Entitlements) Tamil Nadu,
No.361, Anna Salai, Chennai – 600 018.

2.The Headmaster,
Government High School,
Orikkai,
Kanchipuram District.

3.M.Mulaikodai,

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Writ of Mandamus or any other order or direction in nature of appropriate Writ directing the respondents 1 and 2 to consider the above representation made on 22.09.2021 and also to direct the respondents 1 and 2 to disburse the DCRG amount equally to the legal heirs of late O.M.Murugesan.



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For Petitioner : Mr.G.Mohammed Aseef

For R2 : Mr.K.H.Ravi Kumar
Government Advocate

ORDER

The petitioner herein claiming to be the son of late Murugesan, who worked as a teacher in the second respondent's school and died on 01.07.2008 stated to have submitted a representation to the second respondent for payment of retirement benefits (DCRG amount) consequent upon the death of late Murugesan. The petitioner herein claims to be the son of the late Murugesan through the second wife and the 3rd respondent herein is stated to be the first wife of late Murugesan. There appears to be some dispute between the petitioner and the 3rd respondent in respect of the DCRG amount that is payable consequent upon the death of late Murugesan.

2. As seen from the affidavit filed in support of the writ petition, it appears that the said amounts are directed to be released in favour of the 3rd respondent herein through proceedings vide Na.Ka.No.9 of 2020, dated 29.01.2020 issued by the first respondent. Whether the said amounts are



disbursed in favour of the 3rd respondent or not is not clear from the affidavit filed in support of the writ petition.

3. There is no representation for the petitioner before this Court either on 03.06.2024 or today, inspite of the matter being listed under the caption "For Dismissal".

4. In view of the same, for want of availability of factual matrix, this Court is not in a position to adjudicate the matter on merits in full fledged manner.

5. In the light of the above, this Court is of the considered view that it would be appropriate to dispose of the writ petition permitting the petitioner to approach the respondents 1 and 2 by submitting appropriate representation with all details and further to direct consideration of such representation within a time frame. Accordingly, this writ petition is disposed of granting liberty to the petitioner to submit appropriate representation to the respondents 1 and 2 by furnishing all particulars and if any representation is submitted by the petitioner, the same shall be considered by the competent



authority by duly putting the 3rd respondent on notice and appropriate orders shall be passed within a period of eight weeks from the date of submitting such representation. There shall be no order as to costs.

10.06.2024

Index : Yes/No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To

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2.The Headmaster,
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MUMMINENI SUDHEER KUMAR. J.,



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