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W.P.No.21268 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21268 of 2024

N.JohnBegam

... Petitioner

Vs

1. The Secretary,
Finance Department, Chief Secretariat,
The Union Territory of Puducherry,
Puducherry.
2. M/s. Puducherry Agro Service and Industries
Corporation Limited,
Agro House, Thattanchavady,
Puducherry, 605009.
Represented by
The Secretary to Government (Agriculture)-cum-Chairman,
PASIC, Office of Chief Secretariat,
Puducherry.
3. The Managing Director,
M/s. Puducherry Agro Service and Industries
Corporation Limited,
Agro House, Thatanchavady,
Puducherry – 605 009.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to pay out the salary and other related allowances to the petitioner, including 40% of arrears in the 6th Pay Commission by disbursing grant-in-aid or in alternative, within a specified period and may settle the mentioned arrears in full with interest 12% per annum on the amount due and payable to the petitioner within a specified time period to be stipulated by this Court.

For Petitioner : M/s. M.Malaviya

For Respondents : Mr. V.Vasanth Kumar,
Additional Government Pleader
(Puducherry)

O R D E R

This Writ Petition has been filed for direction directing the first to third respondents to pay out the salary and other related allowances to the petitioner, including 40% of arrears in 6th Pay Commission by disbursing grant-in-aid or in alternative, within a specified period and may settle the mentioned arrears in full with interest 12% per annum on the amount due and payable to the petitioner within a specified time period to be stipulated by this Court.



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

3. The petitioner's husband was appointed as Cleaner in the third respondent on 19.03.1991. Thereafter, he was promoted to the post of Messenger and he was attained age of superannuation on 31.05.2015. Due to ill health, the petitioner's husband died on 16.05.2021, leaving behind the petitioner and her two children as legal heirs. Though the petitioner had made representation dated 12.04.2024 along with all necessary documents for disbursal of the pending arrears of salaries and pending death benefits of the deceased husband of the petitioner to the third respondent in that regard, it had not evoked any response, necessitating the filing of this Writ Petition.

4. Considering the same, the respondents are directed to disburse the pending arrears of salaries and pending death benefits of the deceased husband, viz., E.Noordeen to the petitioner with applicable interest, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that the Government of Puducherry shall interfere and direct the



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third respondent to settle all the arrears of salary and terminal benefits of the deceased husband of the petitioner.

5. Accordingly, this Writ Petition is disposed of. No costs.

31.07.2024

Index: Yes/No
Neutral Citation/Yes/No
kv

To

1. The Secretary,
Finance Department, Chief Secretariat,
The Union Territory of Puducherry,
Puducherry.
2. The Secretary to Government (Agriculture)-cum-Chairman,
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Puducherry.
M/s. Puducherry Agro Service and Industries
Corporation Limited,
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G.K.ILANTHIRAIYAN, J.

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