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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.22874 of 2024

N.Rajeshwari

... Petitioner

Vs.

1.The Chief Educational Officer,
The Chief Educational Office,
Tiruppur.

2.The Head Master,
Government Higher Secondary School,
Uthamapalayam,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to disburse the pension amount under the Compensatory Provident Fund Scheme of standing in the name of the petitioner's husband CPS account No.716217 with interest by considering the petitioner's son representation dated 27.3.2024 sent of the respondents within limit fixed by this Court.



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For Petitioner : Mr.R.Prabakar

For Respondents : Mrs.Mythraye Chandru
Special Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to disburse the pension amount under the compensatory provident fund scheme standing in the name of the petitioner's husband with interest after considering the representation made by the petitioner's son dated 27.03.2023.

2.Heard Mr.R.Prabakar, learned counsel appearing on behalf of the petitioner and Mrs.Mythraye Chandru, learned Special Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that her husband joined Government service and he died in harness on 03.07.2023, leaving behind the petitioner and her two sons. At the time of his demise, he was serving as B.T. Assistant (English) in the



2nd respondent School. Pursuant to the same, the petitioner along with her sons were settled with certain benefits and according to the petitioner, a sum of Rs.18,63,154/- as on February 2023 is due and payable and the same has not been disbursed till date. The representation that was made by the petitioner's son in this regard also did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

4.The learned Special Government Pleader appearing on behalf of the respondents submitted that the request made by the petitioner is already under process by the 1st respondent and that the 1st respondent requires certain documents to be furnished by the petitioner and if the same is furnished, the request of the petitioner will be considered and the benefits to which they are entitled will be reimbursed to the petitioner.

5.Considering the facts and circumstances of the case and taking note of the submissions made by the learned Special Government Pleader, there shall be a direction to the 1st respondent to deal with the representation made by the petitioner's son dated 27.03.2024 and take a final decision, within a period of six



weeks from the date of receipt of copy of this order.

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6.The petitioner is directed to submit all the documents that are required by the 1st respondent in order to enable the 1st respondent to pass final orders and reimburse the amount which the petitioner will be entitled. It is made clear that if the 2nd respondent has any individual grievance, he has to workout in the manner known to law and he cannot be putting spokes on the 1st respondent dealing with the request made by the petitioner for reimbursement of the terminal benefits of the petitioner.

7.This writ petition is disposed of with the above directions. No Costs.

12.08.2024

Internet : Yes

Index : Yes

Speaking Order / Non Speaking Order

ssr



To
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1. The Chief Educational Officer,
The Chief Educational Office,
Tiruppur.
2. The Head Master,
Government Higher Secondary School,
Uthamapalayam,
Tiruppur District.



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N. ANAND VENKATESH, J.

ssr

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