



WEB COPY



W.P.No.26611 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.26611 of 2021

B.Pappathi

... Petitioner

/vs/

1. The Chairman and Managing Director,
Tamil Nadu Industrial Development Corporation,
No.19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.

2. Sumathi

3. Minor R.Nethra

Represented by her mother and guardian
Sumathi

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent herein to disburse 1/3rd share in the benefits payable to the service of the petitioner's son late B.Ramakrishnan, based on her representation dated 25.08.2021.

For Petitioners ... Mr.S.V.Karthikeyan

For Respondents ... Mr.S.Raghunath
for M/s.T.S.Gopalan & Co. for R1

No appearance for R2 & R3

ORDER



W.P.No.26611 of 2021

The petitioner has filed this writ petition seeking direction against the first respondent to disburse 1/3rd share in death benefits payable to his deceased son Ramakrishnan based on her representation dated 25.08.2021.

2. Mr.S.V.Karthikeyan, the learned counsel for the petitioner, submitted that the petitioner's son by name Ramakrishnan was employed under the first respondent as Senior General Manager who died on 13.05.2021 due to cardiac arrest; the petitioner and the respondents 2 and 3 are the legal heirs of the deceased Ramakrishnan; hence the petitioner has given representation on 25.08.2021 to the first respondent to settle her 1/3rd share in the death benefits of her deceased son; since the same was not considered, this writ petition has been filed.

3. Mr.S.Raghunath, the learned counsel for the first respondent, submitted that in view of the nomination made by the deceased Ramakrishnan in his Service Records, the entire death benefits have been paid to the wife, the second respondent and his minor daughter, the third respondent.



W.P.No.26611 of 2021

4. The records submitted by the learned counsel for the first respondent would show that the deceased employee had only nominated his wife and daughter as his only nominees and he had also stated that the benefits should be disbursed to his wife and daughter in equal terms. The deceased son of the petitioner had nominated his wife and child by showing apportions of the benefits equally between them. If the petitioner believes that she has got 1/3rd share in the terminal benefits of his deceased son, it is open to her to initiate Civil litigations for recovery of the same from the respondents 2 and 3.

5. With the above observations, this Writ Petition is disposed. No costs.

15.02.2024

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



WEB COPY



W.P.No.26611 of 2021

R.N.MANJULA ,J.

bkn

W.P.No.26611 of 2021

15.02.2024