



WEB COPY

W.P.No.3918



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.39181 of 2024

Mallika

... Petitioner

Vs.

1. The Principal Accountant General,
Office of the Principal Accountant General,
Anna Salai, Chennai – 18.

2. The Assistant Director,
Local Fund Audit,
Nandanam, Chennai.

3. The Commissioner,
Kanchipuram Corporation,
Kanchipuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to disburse remaining retirement benefits of petitioner's unmarried brother Kailash Babu to the petitioner and also grant Family Pension to her by considering the petitioner's representation dated 13.11.2024.

For Petitioner	: Mr.A.Balakrishnan
For R1	: Ms.S.Brinda, Standing Counsel
For R2	: Mr.U.Baranidharan,
	Additional Government Pleader



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For R3

: Mr.R.A.Gopinath,
Standing Counsel

ORDER

The petitioner herein, who is an unmarried sister of the deceased employee, by name Kailash Babu, working under the Respondent No.2. After having entered into service on 11.07.1990 as 'Record Clerk', he retired from service on 12.12.2018. Thereafter, on 28.04.2019, the petitioner is stated to have been found eligible, being the unmarried sister of the deceased employee, was paid certain terminal benefits and is being paid family pension. However, the petitioner has certain other grievance in connection with the quantum of terminal benefits that are paid to her. Under those circumstances, the petitioner claimed to have submitted a representation dated 13.11.2024 before the respondents. However the said representation dated 13.11.2024 is stated to be still pending without any action. Under those circumstances, the petitioner approached this court by filing the present writ petition.

2. Mr.R.A.Gopinath, learned Standing Counsel appearing for the Respondent No.3 fairly submitted that the Respondent No.3 has considered the said representation and a proposal would be submitted, if the petitioner is found to be entitled for any further terminal benefits. Ms.S.Brinda, learned Standing



Counsel appearing for the Respondent No.1 also fairly submitted that if in case, if the Respondent No.3 submits any proposal, the same would be considered by the Respondent No.1.

3. In the light of the above, this court is of the considered view that the writ petition can be disposed of, without going, into merits by issuing appropriate direction to the respondents.

4. Accordingly, the writ petition is disposed of directing the Respondent No.3 to consider the representation dated 13.11.2024 submitted by the petitioner and in case, if the petitioner is found to be entitled for any amounts, the Respondent No.3 shall submit an appropriate proposal to the Respondent No.1/ Respondent No.2 and on submission of such proposal by the Respondent No.3, the Respondent No.1/ Respondent No.2 shall consider the same and pass appropriate order thereon in accordance with law. The entire exercise, as directed above, shall be completed within a period of six weeks from the date of submission of the proposal by Respondent No.3. Respondent No.3 shall submit the proposal within four weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions, if any, shall stand closed.



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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

MUMMINENI SUDHEER KUMAR, J.

skr

To

1. The Principal Accountant General,
Office of the Principal Accountant General,
Anna Salai, Chennai – 18.
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