



W.P.No.39725 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.39725 of 2024

and

W.M.P.No.43016 of 2024

Mrs.K.Alagammal
W/o.Late P.S.Murugan

...Petitioner

Vs

The Dean
Government Kilpauk Medical College
Chennai – 600 010

...Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to impugned letter dated 09.08.2024 having Reference No.4643/E3/2024 issued by the respondent and to quash the same as illegal and consequently direct the respondent to forthwith release the terminal benefits and other benefits due to the late husband (Mr.P.S.Murugan, Radiographer) of the petitioner along with the interest of 18% per annum.

For Petitioner : Mr.S.Vasanth



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For Respondent : Mr.Tippu Sulthan
Government Advocate

ORDER

Heard Mr.S.Vasanth and Mr.Tippu Sulthan, learned Government Advocate for the respective parties.

2. The petitioner's husband joined the respondent Government Kilpauk Medical College as a Radiographer in 2013. Due to the health complications, he passed away on 03.06.2023. As the contributory pension in which scheme the petitioner's husband was a member was not disbursed, the petitioner approached the respondent. The respondent has stated that as her late husband had availed a loan from State Bank of India, the pension was not being released. Hence, the writ petition.

3. When the matter came up, Mr.Tippu Sulthan took notice for sole respondent. He points out that the statement of the petitioner that no payment has been made is false. Mr.Tippu Sulthan further states that Family Benefit Fund was issued in October 2023 and in November 2023



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and Unearned Leave on private affairs as well as encashment of Earned Leave had been disbursed to the writ petitioner. He points out that contributory pension was not paid to the petitioner for want of revised Legal Heirship certificate.

4. Both sides agree that the revised Legal Heirship certificate has been submitted by the petitioner yesterday i.e., on 26.12.2024. Pension cannot be a subject matter of attachment as it amounts to deferred wages. Therefore, the impugned order is set aside.

5. Considering the fact that the deceased P.S.Murugan, an ex-employee of the respondent has left behind his mother, two children and young widow, Mr.Tippu Sulthan was directed to state as to when the amounts will be released. Mr.Tippu Sulthan, on instructions, reports that the amounts will be released by 15.02.2025.



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V.LAKSHMINARAYANAN.J.,

gpa/mk

Recording the statement of Mr.Tippu Sulthan, this Writ Petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

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Index:Yes
Non-speaking order
Neutral Citation : No

gpa/mk

To

The Dean
Government Kilpauk Medical College
Chennai – 600 010

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