



W.P.(MD) No.967 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.967 of 2022

Ranjitham

..

Petitioner

-VS-

1. The Deputy Director,
Health Department,
Sivagangai District.
2. Treasury Officer,
Sivagangai District.
3. Regional Medical Officer,
Government Primary Health Center,
S.Pudur Singampunari,
Sivagangai District.
4. Shanthi
5. Minor. S.Nithish Saran
Rep by Through His Mother/
natural Guardian 4th Respondent...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India,
praying for issuance of a writ of certiorarified mandamus, to call for the



W.P.(MD) No.967 of 2022

WEB COPY

records in Na.Ka.No.6278/A5/2021, dated 24.09.2021, on the file of 1st respondent and quash the same as illegal, ultra vires and consequently direct the respondents 1 and 2 to disburse all terminal benefits declared government funds payable to deceased Saravanan as frontline worker and the arrears of family pension payable to the extent of 1/3 share of the petitioner as class 1 heir of deceased Saravanan and the future payable family pension.

For Petitioner : Mr.S.Ramesh

For Respondents 1 to 3 : Mr.S.S.Madhavan,
Govt.Advocate.

For Respondent 4 : Ms.T.Karthigaideeba

ORDER

The instant Writ Petition has been filed by the mother of the deceased Government servant, seeking to quash the communication issued by the first respondent on 24.09.2021, wherein they have stated that the entire terminal benefits of the deceased employee would be disbursed to the wife and the children of the deceased employee.



W.P.(MD) No.967 of 2022

WEB COPY

2. Before the writ petition came to be filed, the entire terminal benefits, to an extent of Rs.10,38,551/-, were disbursed to the wife and the children of the deceased employee. The deceased employee had left his mother Ranjitham, his son S.Nithish Saran and his wife Shanthi, as his legal heirs. Therefore, it is clear that the writ petitioner, namely, Ranjitham, is entitled to receive 1/3rd share of the terminal benefits.

3. After filing of the Writ Petition, the wife of the deceased, namely, Shanthi, who is arrayed as the fourth respondent herein, has taken a Demand Draft for a sum of Rs.3,46,184/-, representing 1/3rd share of the writ petitioner in the terminal benefits, vide D.D.No.304914, dated 21.08.2024, drawn on Indian Bank, Singampunari, on the name of the writ petitioner, namely, M.Ranjitham. The said Demand Draft has been entrusted to the learned counsel for the writ petitioner in the open Court.

4. In view of the above said facts, nothing remains to be adjudicated in this Writ Petition, which is, accordingly, closed. Given the fact that the wife is shown as the nominee in the pension proposal, family pension shall be disbursed in the name of the fourth respondent, who is the wife of the



W.P.(MD) No.967 of 2022

WEB COPY deceased employee. No costs. Consequently, the connected W.M.P.(MD) No. 785 of 2022 is closed.

30.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

dixit

To:

1. The Deputy Director,
Health Department,
Sivagangai District.
2. Treasury Officer,
Sivagangai District.
3. Regional Medical Officer,
Government Primary Health Center,
S.Pudur Singampunari,
Sivagangai District.



WEB COPY



W.P.(MD) No.967 of 2022

R.VIJAYAKUMAR, J.

dixit

W.P.(MD) No.967 of 2022

30.08.2024