



W.P.(MD)No.11878 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11878 of 2024 &
W.M.P.(MD)No.10583 of 2024

Vijayalakshmi

... Petitioner

vs.

The General Manager (HR)
Tamil Nadu News Print and Papers Limited (TNPL)
(A Government Enterprise)
Mondipatti, K.Periyapatti Post,
Manapparai Taluk,
Tiruchirappalli District - 621 306.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent in proceedings in UII/HR/EST/24/415 dated 24.05.2024, quash the same as illegal, arbitrary and in violation of principles of natural justice and consequently direct to disburse the cash and other benefits of the petitioner's deceased son by considering the petitioner's representation dated 30.05.2024.

For Petitioner : Mr.A.Joel Paul Antony

For Respondent : Mr.M.P.Senthil



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ORDER

Heard Mr.A.Joel Paul Antony, learned counsel appearing for the petitioner. Mr.M.P.Senthil, learned counsel takes notice for the respondent.

2. The petitioner has filed this writ petition seeking a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent in UII/HR/EST/24/415 dated 24.05.2024, quash the same and consequently direct the respondent to disburse the cash and other benefits of her deceased son by considering her representation dated 30.05.2024.

3. This petition is filed challenging the impugned order refusing the petitioner's entitlement of 1/3rd share in the retiral benefits of her deceased son, despite there is an order of this Court to that effect in W.P. (MD)No.10156 of 2024 dated 25.04.2024.



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4. Mr.A.Joel Paul Antony, learned counsel appearing for the petitioner submitted that the petitioner has filed a writ petition in W.P. (MD)No.10156 of 2024 seeking direction to the respondent to disburse the cash and other benefits of her deceased son. In the writ petition, the Court has considered the rival submissions, especially about the status of the petitioner with the deceased and has passed an order stating that the respondent ought to have disbursed atleast 1/3rd share of the petitioner in the Insurance amount of her deceased son.

5. Mr.M.P.Senthil, learned counsel appearing for the respondent submitted that since deceased son of the petitioner has nominated his wife as a beneficial nominee, the respondent is not able to disburse the 1/3rd share to the petitioner even though there is an order of this Court.

6. It is to be noted that when the earlier writ petition was heard, the above fact was not brought to the notice of the Court. Till date, no appeal is also preferred by challenging the order passed in W.P.(MD)No. 10156 of 2024. Since the earlier order passed on 25.04.2024 itself holds



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good, the petitioner is at liberty to file a contempt petition.

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7. With the above observations, the writ petition is disposed of and the petitioner is at liberty to file a contempt petition. No costs. Consequently, connected Miscellaneous Petition is closed.

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NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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