



WEB COPY

W.P.(MD)No.13843 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.13843 of 2024

V.Meiyappan

... Petitioner

Vs.

1.The Chief Education Officer,
Trichy District, Trichy.

2.The District Education Officer,
Musiri, Trichy District.

3.The Headmaster,
Government High School,
Ayyampalayam,
Musiri Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondents to grant the entire death benefits payable for the death of the petitioner's son M.Kumar while in service dies on 05.10.2021 by considering his representation dated 27.05.2024 within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.T.Amjadkhan
Government Advocate



ORDER

The petitioner has filed this writ petition seeking a Writ of Mandamus, directing the respondents to grant the entire death benefits payable for the death of the petitioner's son M.Kumar, who while in service died on 05.10.2021 by considering his representation, dated 27.05.2024 within the period stipulated by this Court.

2.Heard Mr.A.Haja Mohideen, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4.The petitioner's son namely, Kumar was working as Government Teacher in the third respondent School and he died in harness on 05.10.2021. Hence, the petitioner made a representation seeking death benefits of his son, on 27.05.2024. Since the same was not considered so far, the petitioner has filed this writ petition.

5.The learned Government Advocate appearing for the respondents submits that the son of the petitioner was married. Even though it was stated by



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the petitioner that the marriage between the petitioner's son and his wife was dissolved by the judgment dated 29.10.2015 made by the Principal Sub Court, Trichy, the petitioner has not produced the legal heirs certificate, enabling the respondents to consider the representation of the petitioner.

6.In view of the submission made above, the petitioner is directed to produce the legal heirship certificate as required by the respondents. On receipt of the same, the respondents shall consider the petitioner's representation dated 27.05.2024 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7.With the above direction, this writ petition is disposed of. No costs.

27.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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R.N.MANJULA, J.

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