



W.P.(MD).No.7 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7 of 2024

P.Athimoolam

... Petitioner

Vs.

- 1.The State of Tamilnadu,
Rep. by its Secretary,
Municipal Administration and Water
Supply Department,
Secretariat,
Chennai.
- 2.The Commissioner,
Municipal Administration and Water
Supply Department,
Chepauk,
Chennai.
- 3.The Director,
Directorate of Town Panchayats,
7 & 8th Floor,
Santhome High Road,
Raja Annamalaipuram,
Chennai.



W.P.(MD).No.7 of 2024

4.The Director,
Local Fund Audit Department,
Kuralagam 4th Floor,
Chennai.

5.The Assistant Director,
Directorate of Town Panchayats,
Tirunelveli District.

6.The Executive Officer,
Kallidaikurichi Town Panchayat,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to disburse her share of service and pension benefits of the petitioner's husband namely Perumal with interest to the petitioner along with consequential benefits by considering the petitioner's representation dated 12.11.2022.

For Petitioner	: Mr.T.Thirumurugan
For R-1 to R-5	: Mr.J.K.Jeya Seelan, Government Advocate
For R-6	: Mr.J.John Rajadurai, Government Advocate



WEB COPY



W.P.(MD).No.7 of 2024

ORDER

The present writ petition has been filed to direct the respondents to disburse her share of service and pension benefits to the petitioner's husband namely Perumal with interest to the petitioner along with consequential benefits by considering the petitioner's representation dated 12.11.2022.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

(i) The petitioner's husband namely Perumal worked with the 6th respondent Town Panchayat as a sanitary worker from 1978. He married one Karuppi and had four children. However, he divorced the said Karuppi and later married the petitioner. On 30.01.1994, the petitioner died, while in service. He was in service for 19 years 10 months and 14 days. The petitioner's husband included the petitioner's name alone in his Group Insurance Scheme dated 01.06.1979 and in the service records as well. In the meanwhile, on 27.10.1998 the said Karuppi died. The legal heirs of the said Karuppi gave no objection in favour of the petitioner for claiming pension benefits. In the meanwhile, one of the legal heirs of Karuppi namely Lakshmanan died and the



W.P.(MD).No.7 of 2024

legal heirs of the said Lakshmanan have also given no objection in favour of the petitioner on 19.04.2021 for claiming pension benefits.

(ii) On 03.06.1999, the petitioner gave a petition to the 4th respondent and thereafter, on 18.07.2000, the petitioner gave a representation to the Secretary, Kallidaikurichi. Further, on June 2014 and on 24.11.2016, the petitioner gave a petition to the C.M.Cell and on 18.07.2015, the petitioner gave a petition to the 5th respondent seeking to provide family pension. Finally, on 12.11.2022, she made a representation to the respondents seeking to provide the service benefits of the petitioner's husband namely Perumal with respect to his service period from 1978 to 30.01.1994. However, the same was not considered by the respondents. Challenging the same, the present Writ Petition came to be filed.

3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocates appearing for the respondents and perused the materials available on record.



W.P.(MD).No.7 of 2024

WEB COPY

4. It is made clear that without going into the merits of the case, this Court hereby directs the respondents to consider the petitioner's representation dated 12.11.2022 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands disposed of. No costs.

30.01.2024

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

To

1.The State of Tamilnadu,
Rep. by its Secretary,
Municipal Administration and Water
Supply Department,
Secretariat,
Chennai.

2.The Commissioner,
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W.P.(MD).No.7 of 2024

WEB COPY

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W.P.(MD).No.7 of 2024

L.VICTORIA GOWRI, J.

Sml

W.P.(MD).No.7 of 2024

30.01.2024