



W.P.(MD).No.30368 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30368 of 2024

and

W.M.P.(MD).Nos.25543 & 25545 of 2024

S.Jeyachitra

... Petitioner

-vs-

1.The District Collector,
Office of the Collectorate, Sivagangai,

2. The Chief Educational Officer,
Office of the Chief Educational Officer, Sivagangai.

3. The Head Master,
Government Higher Secondary School,
Salaigramam, Ilayangudi Taluk, Sivagangai District.

4. A.Thayiens

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the nature of Writ, directing the second and third respondents to consider the representation of the petitioner dated 18.09.2024 and 03.12.2024 in the disbursement of the death benefits of deceased Jeyakumar in a time bound manner.



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For Petitioner : Mr.D.Senthil
For Respondent Nos.1 to 3 : Mr.T.Amjadkhan
Government Advocate

ORDER

The instant writ petition has been filed seeking a mandamus to direct the second and third respondent to consider the representation of the petitioner dated 18.09.2024 and 03.12.2024 for disbursement of death benefits of the deceased Jeyakumar.

2. A perusal of the records reveal that the fourth respondent and her two minor children have filed O.S.No.25 of 2022 before the District Munsif cum Judicial Magistrate, Ilayangudi seeking declaration to declare that the Plaintiff and her children are the legal heirs of deceased Jeyakumar. The said suit was decreed as prayed for on 23.07.2024. Challenging the said decree, the present writ petitioner has filed Appeal Suit in A.S.No.15 of 2024 before the Sub Court, Manamadurai. The said Appeal suit is pending. In the light of the above said facts, the present writ petition has been filed seeking a mandamus to direct the second and third respondent to consider the



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representation of the petitioner dated 18.09.2024 and 03.12.2024 for disbursement of death benefits of the deceased Jeyakumar.

3. It could be seen from the records that the petitioner was not successful before the Trial Court and she has filed an Appeal Suit before Sub-Court, Manamadurai and the same is still pending. In such circumstances, question of issuing mandamus to the authorities to release the terminal benefits does not arise. In case, if the authorities attempt to release the terminal benefits in favour of the fourth respondent, it is for the writ petitioner to approach the Appellate court seeking appropriate interim orders.

4. With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

16.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

gvn

To

- 1.The District Collector,
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2. The Chief Educational Officer,
Office of the Chief Educational Officer, Sivagangai.
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