



WEB COPY



W.P. No.9463 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM

THE HONOURABLE Mr. JUSTICE P.DHANABAL

W.P. No.9463 of 2022
and W.M.P. No.9204 of 2022

H. Deivanai M/o. Late Ranjith Hariharan .. Petitioner

vs.

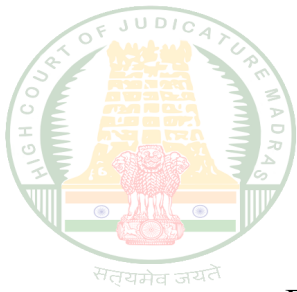
1. The Assistant Labour Commissioner (Central),
Office of the Deputy Chief Labour Commissioner (Central),
No.26, Haddows Road, Shastri Bhavan,
Chennai-600 006.

2. The General Manager,
TATA Communications Transformation Services Limited,
Plot C-21/C-36 G Block, TATA Communications C-WIN,
G BKC Vidyanagari, PO Bandra Kurla Complex,
Mumbai.

3. The HR Manager,
TATA Communications Transformation Services Limited,
Pudur, Ambattur, Chennai. .. Respondents

PRAYER: The Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to the first respondent to direct the second and third respondents to release the other benefits of the deceased son of the petitioner, mentioned as a Nominee in all the files.

For Petitioner : Mr. V. Nandagopalan



WEB COPY



W.P. No.9463 of 2022

For Respondents : No appearance [for R1]
Mr. C. Mohan
for Ms. A. Remy Josephine Mary
for M/s. King & Partridge
[for R2 & R3]

ORDER

This Writ petition has been filed by the petitioner to direct the 2nd and 3rd respondents to release the terminal benefits of the deceased son of the petitioner to her as a 'nominee'.

2. The learned counsel appearing for the petitioner would submit that the petitioner's son namely Ranjith Hariharan worked as an employee in TATA Communications Transforation Services Limited, Pudur, Ambattur, Chennai and he died in the road accident on 11.06.2018. The son of the petitioner had nominated the petitioner as his 'nominee' for getting all the benefits. After the demise of her son, the petitioner approached the 3rd respondent several times seeking to disburse the terminal benefits of the deceased Ranjith Hariharan to her. But no action was taken by the 3rd respondent. Therefore, the petitioner sent a legal notice to the 2nd respondent on 12.07.2018, but there was no any response. While so, on 06.09.2018, the petitioner made a representation to the 1st respondent and the same was



W.P. No.9463 of 2022

WEB COPY

acknowledged by the 1st respondent on 11.09.2018. The 2nd respondent also accepted the nominee certificate issued by the son of the petitioner, which included only the name of the petitioner. The 2nd respondent sent the details to the 1st respondent on 30.08.2018 by indicating that the petitioner is the only absolute legal nominee to get the terminal benefits of the deceased Ranjith Hariharan. The representation dated 06.09.2018 has not been considered by the 1st respondent. Therefore, the petitioner has filed the present petition seeking to direct the 1st respondent to give direction to the 2nd and 3rd respondents to release the terminal benefits of the deceased Ranjith to the petitioner.

3. The learned counsel appearing for the 2nd and 3rd respondents would submit that there is a dispute between the petitioner and one Priya in respect of the legal heirship of the deceased Ranjith Hariharan, worked under the 2nd respondent's company. Already the petitioner filed a petition in W.P. No.4089 of 2019 before this Court by impleading the said Priya as one of the parties and this Court directed the Tahsildar, Ponneri to afford fair hearing to the petitioner as well as the 2nd respondent while adjudicating the matter with regard to the issuance of the legal heirship certificate for the deceased Ranjith

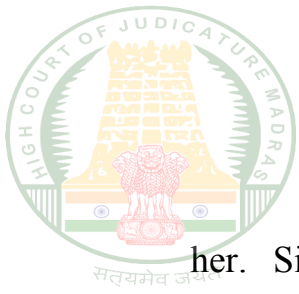


W.P. No.9463 of 2022

Hariharan. Thereafter, again the petitioner filed a Writ petition in W.P. No.9391 of 2022 by impleading the said Priya, who is claimed to be the wife of the deceased Ranjith Hariharan, as 4th respondent and the same was also disposed of by directing the authorities to take a decision in respect of issuance of Legal Heirship Certificate. Now, the petitioner, by suppressing the above said facts, filed this petition to disburse the terminal benefits of the deceased Ranjith Hariharan, to her. Therefore, the petition is liable to be dismissed.

4. Heard both sides and perused the entire materials available on record.

5. On perusal of records, it is seen that there is a dispute between the petitioner and one G. Priya claiming to be the wife of the deceased Ranjith Hariharan. Already the same petitioner filed two Writ petitions in W.P. Nos.4089 of 2019 and 9391 of 2022 before this Court by impleading the said Priya as one of the parties in the proceedings. But in the present Writ petition, the said G. Priya has not been impleaded as one of the parties. In the absence of the said G. Priya, who claimed that she is the wife of the deceased Ranjith Hariharan, the petition cannot be disposed of effectively. Moreover, the petitioner has not stated anything about the earlier Writ petitions filed by



W.P. No.9463 of 2022

her. Since there is a dispute in respect of the legal heirship of the deceased Ranjith Hariharan, it is to be adjudicated by the competent authorities in the appropriate Forum and the disputed facts cannot be adjudicated in the present Writ petition. Therefore, the petitioner can seek remedy before the appropriate Forum in accordance with law in respect of the legal heirship.

6. In view of the above discussions, this Writ petition has no merits and deserves to be dismissed.

7. Accordingly, the present Writ petition is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

11.06.2025

Index : Yes/No

Speaking order/non-speaking order

mjs

To

1. The Assistant Labour Commissioner (Central),
Office of the Deputy Chief Labour Commissioner (Central),
No.26, Haddows Road, Shastri Bhavan, Chennai-600 006.

P. DHANABAL, J.,

mjs



W.P. No.9463 of 2022

WEB COPY

2. The General Manager,
TATA Communications Transformation Services Limited,
Plot C-21/C-36 G Block, TATA Communications C-WIN,
G BKC Vidyanagari, PO Bandra Kurla Complex,
Mumbai.

3. The HR Manager,
TATA Communications Transformation Services Limited,
Pudur, Ambattur, Chennai.

W.P. No.9463 of 2022

11.06.2025