



W.P.(MD).No.98 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.98 of 2025

J.Annam

... Petitioner

-VS-

1. The District Collector,
Dindigul District,
Dindigul.

2. The Personal Assistant to District Collector,
(Noon Meal),
O/o.The District Collector,
Dindigul District,
Dindigul.

3. The Assistant Director of Health,
District Health Office,
Dindigul.

4. The Block Development Officer,
O/o.The Block Development Office,
Batlagundu Panchayat Union,
Batlagundu,
Dindigul District.



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5. The Commissioner of Panchayat Union,
O/o.The Commissioner of Panchayat Union,
Batlagundu,
Dindigul District.

6. The Executive Officer,
Nilakottai Town Panchayat,
O/o.The Nilakottai Town Panchayat,
Nilakottai,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus , directing the respondents to disburse the retirement and service benefits of my late husband Mr.P.Jeyabalan to the petitioner along with an accrued interest thereof within the period that may be stipulated by this Court.

For Petitioner	: Mr.H.Mohammed Imran for M/s.Ajmal Associates
For Respondent No.1 to 2	: Mr.D.Sasikumar Additional Government Pleader
For Respondent No.3	: Mr.T.Amjadkhan Government Advocate

ORDER

The instant writ petition has been filed by the wife of an employee, seeking a mandamus to disburse the retirement benefits of her husband Mr.P.Jeyabalan with accrued interest.



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2. The petitioner's husband who was working as a Noon Meal Organizer, had went missing on 12.01.2009. The petitioner has lodged a complaint before the Batlagundu police station, on 14.01.2009. FIR was registered in Crime No.56 of 2009, as a Man Missing Case. Since, the petitioner's husband could not be traced out. The petitioner has filed a suit in O.S.No.148 of 2018 before the District Munsif, Nilakottai, seeking a declaration to declare that her husband is no more and for a mandatory injunction to register the death of her husband and for issuance of legal heir certificate. The District Munsif Court, Nilakottai, had partly allowed the said suit on 19.09.2023, holding that her husband is no more and the civil death of her husband was declared, and for other consequential relief, liberty was granted to the petitioner to approach appropriate forum. Based upon the said Civil Court decree, the petitioner was issued with a legal heir certificate on 31.05.2024. Thereafter, the petitioner has given a representation to the authorities, seeking retirement benefits and also compassionate appointment to her daughter. Another representation was addressed on 19.11.2024. Since both the requests were not considered, the present writ petition has been filed.



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3. On instructions, the learned Additional Government Pleader appearing for the respondents submits that as far as releasing the terminal benefits and pensionary benefits are concerned, they will be released within a period of eight weeks. However, as far as the prayer sought for compassionate appointment is concerned, it would be considered as and when separate application form is being submitted.

4. In view of the above said circumstances, the respondents are directed to release the eligible terminal benefits to the writ petitioner within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above said observations, this writ petition is disposed of.
No costs.

06.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
gvn



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