



W.P(MD)No.20105 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20105 of 2025

1.Minor M.Sheik Masood,
Represented by its Natural Guardian/
Mother, J.Hameetha.

2.M.Mohamed Anes

... Petitioners

Vs.

1.Office of the Accountant General (A&E),
Authorization of Revision of Pension/
Gratuity/Commutation,
Chennai-600 018,
Tamil Nadu.

2.The Senior Section Officer,
Pension Section - (P-09),
Accountant General (A&E),
316, Anna Salai, Thenampet,
Chennai-600 018.

3.The Sub Treasury Officer,
Sub Treasury Thovalai @ Boothapandi,
Kanyakumari District.

4.The Head Master,
Government Higher Secondary School,
Thittuvilai,
Kanyakumari District-629 852.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to disburse the death gratuity of the petitioner's father to the petitioners' by considering the petitioners' representation, dated 26.04.2023 and 25.03.2025 along with interest.

For Petitioners : Mr.S.Anwar Sameem

For R-1 & R-2 : Mr.P.Gunasekaran
Standing Counsel

For R-3 & R-4 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present writ petition has been filed by the sons of a deceased Teacher seeking a Mandamus as against the first respondent for disbursement of Death cum Retirement Gratuity.

2. The petitioners' father, who was employed as a P.G Assistant in the fourth respondent School has passed away on 16.07.2021. One third of the DCRG amount has already been released in favour of their mother. However, the balance amount has not been released in favour of the petitioners. Hence, the present writ petition.



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3. The learned Standing Counsel appearing for the first respondent submitted that, when the employee passed away, both the sons were minors. Therefore, they had instructed the parties to approach the civil Court to get the mother declared as a guardian. Therefore, there was a delay in disbursing the balance DCRG benefits in favour of the petitioners.

4. The learned Counsel appearing for the petitioners submit that orders have been passed in G.W.O.P.No.111 of 2022 by the Principal District Court, Kanniyakumari, on 08.11.2022 appointing the mother as the guardian of both the petitioners. He further submits that the second petitioner has already attained majority.

5. Considering the above said facts, the petitioners herein are directed to place the records before the fourth respondent, so that, he could forward the same to the second respondent.

6. In view of the above said facts, this Court is inclined to pass the following order:



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"a) The petitioners are directed to place all the documents before the fourth respondent, within a period of two (2) weeks from the date of receipt of a copy of this order.

b) On receipt of the documents, the fourth respondent is directed to forward the same to the second respondent, within a period of two (2) weeks, thereafter.

c) The second respondent is directed to dispose of the said proposal, within a period of four (4) weeks from the date of receipt of proposal."

7. With the above said observation, this writ petition stands disposed of.

There shall be no order as to costs.

28.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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R.VIJAYAKUMAR, J.

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