



W.P.(MD).No.20181 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20181 of 2025

S.Ayeerathammal

... Petitioner

Vs.

1. The Chief General Manager,
State Bank of India,
Chennai Local Head Office,
No.16, College Lane,
Nungampakkam,
Chennai – 600 006.
2. The Assistant General Manager,
H.R. Department,
State Bank of India,
Chennai Local Head Office,
No.16 College Lane,
Nungampakkam,
Chennai – 600 006.
3. The Branch Manager,
State Bank of India,
Mylaudy,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to



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consider the petitioner's application dated 08.05.2023 for grant of ex-gratia lumpsum for the death of petitioner's husband namely, P.Shunmuganathan in the light of order dated 29.09.2022 made in W.P(MD) No.9460 of 2019 within a stipulated time fixed by this Court.

For Petitioner : Mr.T.Antony Arulraj

ORDER

The present Writ Petition has been filed by the wife of the deceased employee of the third respondent Bank seeking a Mandamus to direct the respondents to consider the application for grant of ex-gratia lumpsum amount for the death of her husband namely, P.Shunmuganathan.

2. According to the learned counsel appearing for the writ petitioner, previously the petitioner has made a request to the third respondent Bank for grant of ex-gratia lumpsum for the death of her husband. The same was rejected on the ground that such an application has been filed with a delay. Thereafter, another application has been presented by the writ petitioner on 08.05.2023.



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3. According to the learned counsel appearing for the writ petitioner, this Court by an order dated 29.09.2022 in W.P(MD) No.9460 of 2019, while considering a similar case as against the State Bank of India, has passed the following order in paragraph No.10:

“10. In matters such as this, the employer ought not to raise any technical plea such as limitation. The only consideration that the employer must bear in mind is whether there was an entitlement for receiving ex-gratia lumpsum amount. If there was no entitlement and if the eligibility parameters set out in the scheme are not fulfilled, then there is no question of considering the applicant's request. If otherwise the employee fulfilled the eligibility criteria and was entitled to some payment, the employer ought not to deny the same on the ground of limitation. The writ petitioner is not a stranger or any alien, she is the wife of the deceased employee. The employee concerned had to retire from bank's service as he had suffered stroke. Therefore, the authority must approach the issue from a broad and liberal perspective.”



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4. In the light of the above said order, the present representation has been made on 08.05.2023. Since the said representation has not been considered, the present Writ Petition has been filed.

5. Considering the above said facts, the respondents are directed to consider the representation of the petitioner dated 08.05.2023 in the light of the observation made by this Court in W.P(MD) No.9460 of 2019 dated 29.09.2022 and pass orders on merits in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs.

29.07.2025

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

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