



W.P.(MD)No.23019 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.23019 of 2022

Sebasthiyammal

... Petitioner

Vs.

1.District Educational Officer,
Ramanathapuram,
Ramanathapuram District.

2.The Correspondent,
Joseph's R C Middle School,
Kamuthi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to release death cum retirement benefit of the petitioner's brother Arul to her nominee the petitioner herein with interest within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Chandrasekar

For R-1 : Mr.S.Shaji Bino,
Special Government Pleader

For R-2 : Mr.A.Balaji



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ORDER

WEB COPY This writ petition has been filed for a mandamus seeking for a direction to the respondents to release the death-cum-retirement benefits of the petitioner's brother, Arul, to her nominee, the petitioner herein, with interest, within a time frame to be fixed by this Court.

2. The petitioner claims that her brother Arul died as a bachelor while he was in service in the second respondent school. According to the petitioner, she is a Class II legal heir. As per the service records, the petitioner claims that Arul had declared that the petitioner is also a nominee, who is entitled to receive the death-cum-retirement benefits payable to Arul. The petitioner has given a representation for the said purpose, which has not been considered till date by the respondents. Under these circumstances, this writ petition has been filed.

3. A counter-affidavit has been filed by the first respondent stating that the petitioner has not produced relevant records to substantiate her claim for payment of retirement benefits payable to Arul.

4. The learned counsel appearing for the petitioner has also placed on record the Class-II Legal Heirship Certificate issued by the competent authority, which reveals that the petitioner is also one of the legal heirs.



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WEB COPY 5. In view of the same, this Court is of the considered view that a direction can be issued to the first respondent to consider the petitioner's representation seeking for payment of the death-cum-retirement benefits payable to Arul and pass final orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the other Class II legal heirs, as disclosed in the Legal Heir Ship Certificate, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this writ petition is disposed of by directing the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 16.06.2022, seeking for payment of death-cum-retirement benefits payable on account of the death of Arul, within a period of four months from the date of receipt of a copy of this order. No costs.

22.09.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG

To
The District Educational Officer,
Ramanathapuram,
Ramanathapuram District.



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ABDUL QUDDHOSE, J.

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