



W.P.(MD)No.1885 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.1885 of 2017 &
W.M.P.(MD)No.17945 of 2017

P.Sivabathasekaran

...Petitioner

vs.

- 1.M/s.Wipro Limited,
Through its Managing Director,
Doddakannelli,
Bangaluru - 560 035.
- 2.The Regional Commissioner,
Employees Provident Fund Organisation,
Survey No.37/1, Annapoorneshwari Complex,
6th Main Hosur Main Road,
Singasandra,
Bangaluru - 560 068.
- 3.The Chief Labour Commissioner (Central),
O/o.Chief Labour Commissioner,
Ministry of Labour and Employment,
No.26, 3rd Block, 5th Floor,
Shastri Bhavan,
Haddows Road, Nungambakkam,
Chennai - 600 006.



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4.The Assistant Labour Commissioner (Central)

O/o.Chief Labour Commissioner,
Ministry of Labour and Employment,
No.26, 3rd Block, 5th Floor,
Shastri Bhavan,
Haddows Road, Nungambakkam,
Chennai - 600 006.

5.The Assistant Labour Commissioner (Central)

Ministry of Labour and Employment,
New No.5, (old No.1-A), 2nd Floor,
Lady Doak College Road,
Chinna Chokkikulam,
Madurai - 625 002.

6.The Branch Manager,

Indian Bank,
Umachikulam Branch,
Madurai.

...Respondents

(R6 is *suo motu* impleaded vide Court Order dated 15.10.2024 in W.P.
(MD)No.1885/2017)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to disburse the amount of gratuity with interest, amount of insurance claim, the Provident Fund with interest and other death benefits pertaining to the petitioner's wife Jeyanthi Akkini by considering the petitioner's representation dated 23.12.2015, 24.12.2015 and 10.12.2016.



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For Petitioner : Mr.A.Senthilkumar
For Respondents : Mr.C.Muthu Saravanan for R1
Mr.V.S.Karthi for R2
Mr.C.Nandagopal for R3 to R5
Mr.N.Dilipkumar,
standing counsel for R6

ORDER

This writ petition was filed to direct the respondents to disburse the gratuity with interest, insurance claim, Provident Fund with interest and other death benefits pertaining to the petitioner's wife Jeyanthi Akkini by considering the petitioner's representations dated 23.12.2015, 24.12.2015 and 10.12.2016.

2. The learned counsel appearing for the petitioner would submit that the petitioner has not received any amount from the first respondent towards the death of petitioner's wife.

3. The petitioner's wife passed away on 25.10.2014. Thereafter, the petitioner passed away on 13.12.2022. During his life time, in the year 2017, the present petition was filed since the first respondent failed to disburse the terminal benefits for the death of his wife.



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4. The learned counsel appearing for the first respondent would submit that they disbursed the entire amount to the petitioner and his daughter's joint bank account.

5. In this regard, on earlier occasion, the learned counsel for the first respondent has also filed settlement particulars. However, the learned counsel for the petitioner was not satisfied with the same. Since the first respondent submitted that they have deposited the entire amount to the joint account of the petitioner as well as his daughter maintained by the Indian Bank, Indian Bank was also impleaded as one of the respondents (sixth respondent) in the present case. Thereafter, as per the directions of this Court, the sixth respondent filed the Account Statement maintained by the daughter of the petitioner after the death of the petitioner, which clearly shows that the first respondent has paid a sum of Rs.17,46,802/-. It is also seen from the Account Statement that the entire amount has been deposited by the first respondent at different points of time. Therefore, the prayer sought for in the writ petition has become infructuous since the entire terminal benefits of the petitioner's wife has already been disbursed by the first respondent. In view of the same, no



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more orders is required to be passed in this writ petition.

6. Accordingly, the writ petition is dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petition is closed.

23.01.2025

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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KRISHNAN RAMASAMY, J.

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