

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE TWENTY FOURTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 32386 OF 2025



Between:

Namala Nirmala, W/o Late Namala Obulesu, Aged about 51 years,
Occ. Home Maker, R/o D.No. 4-654, Vidyaranya Nagar, Papampet,
Ananthapur, Ananthapuramu District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary
Cooperative Department, Secretariat, Amaravati, Guntur District.
2. The District Co-operative Officer, District Co-operative Office,
Ananthapuramu, Ananthapuramu District
3. The Divisional Co-operative Officer, Divisional Co-operative Office,
Ananthapuramu Ananthapuramu District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ or order or directions especially one in the nature of writ of Mandamus declaring the action of Respondents that not paying the Gratuity, Provident Fund amount, Leave Salary, Group Insurance and Family Pension after death of petitioner husband on 9.11.2024 is illegal, arbitrary and violates the Article 14 of constitution of India and besides being opposed to the principles of natural justice and direct the respondents to release Gratuity, Provident Fund amount. Leave

Salary, Group Insurance and Family Pension amount immediately to petitioner; ✓

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to release Gratuity, Provident Fund amount. Leave Salary, Group Insurance and Family Pension amount immediately to petitioner, pending disposal of WP.No.32386 of 2025, on the file of the High Court. ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri K.Mallikarjun, Advocate for the Petitioner and GP for Services IV for the Respondents, the Court made the following; ✓

ORDER:

The petitioner is aggrieved by the inaction on the part of the respondent authorities in settling the gratuity, provident fund amount, leave salary, group insurance, and family pension of the petitioner's husband.

It is submitted that the petitioner's husband was employed in the office of respondent No.3 as an Attender and had completed more than 25 years of service. The petitioner's husband passed away on 09.11.2024, and the petitioner's name is recorded as the nominee entitled to receive the service benefits in the official records. ✓

It is submitted that the petitioner requested the respondent authorities to release the gratuity, provident fund, leave salary, group insurance, and family pension, and other service benefits due payable to the petitioner on account of the demise of her husband. It is submitted that the respondents have so far not released the family pension and other benefits, despite the petitioner having submitted the relevant application for grant of service benefits. ✓

The learned Assistant Government pleader appearing for the respondents submits that there appears to be a suit filed by the petitioner's son claiming an equal share in the service benefits. ✓

The learned counsel for the petitioner submits that no such suit has been filed, and that the petitioner, being the legally wedded wife, is entitled to the service benefits. It is further submitted that though the husband of the petitioner passed away more than one year ago, the respondent authorities have neither nor paid the service benefits. ✓

There shall be a direction to the respondents to determine the service benefits due payable to the petitioner on account of service of her husband and to settle the same within a period of four (04) weeks from the date of the receipt of this order. ✓

Post the matter on 19.01.2026. ✓

//TRUE COPY//

For

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Cooperative Department, Secretariat, Amaravati, Guntur District. (by **Special Messenger**) ✓
2. The District Co-operative Officer, District Co-operative Office, Ananthapuramu, Ananthapuramu District ✓
3. The Divisional Co-operative Officer, Divisional Co-operative Office, Ananthapuramu Ananthapuramu District. (Addressee Nos.2 & 3 by **RPAD**) ✓
4. One CC to Sri. K.Mallikarjun, Advocate [OPUC] ✓
5. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT] ✓
6. One spare copy ✓

HIGH COURT

HN,J

DATED:24/11/2025

POST THE MATTER ON 19.01.2026

ORDER

WP.No.32386 of 2025

DIRECTION

