



W.P.(MD).No.26756 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26756 of 2023

G.Sumathi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by Secretary to Government,
Department of Rural Development and Panchayat,
Fort Saint George,
Chennai – 600 009.
2. The Director,
Local Fund Audit Department,
4th Floor, Kuralagum,
Chennai – 600 009.
3. The Director of Town Panchayat,
Kuralagum,
Chennai – 600 009.
4. The Assistant Director,
Local Fund Audit Department,
Theni, Theni District.
5. The District Collector (Department),
Theni District, Theni.



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6. The Block Development Officer,
Chinnamanur, Theni District.

7. The Commissioner,
Periyakulam Panchayat Union,
Periyakulam,
Theni 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 grant family pension to petitioner's by considering the representation dated 22.11.2021 and 13.01.2023 within a time frame to be fixed by this Court.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader
For R1 to R5

: Mr.T.Villavan Kothai
Additional Government Pleader
For R6 and R7

ORDER

The present writ petition has been filed by the wife of the deceased employee seeking a mandamus as against the authorities for grant of family pension.



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2. The petitioner's husband was originally appointed on a consolidated pay in the year 1991 and later, he was regularized in his services on 22.11.2012. The petitioner had attained superannuation on 30.04.2019. Thereafter, the petitioner had filed W.P(MD) No.17939 of 2019 seeking a direction to the District Collector, Theni District for submission of his pension proposals and for disbursement of pensionary benefits. The said writ petition was disposed of by this Court on 19.08.2019 with a direction to the writ petitioner to make a representation to the Secretary to Government, Department of Rural Development and Panchayat along with the copy to the District Collector, Theni District and the authorities are directed to pass orders as expeditiously as possible.

3. After passing of orders in the writ petition, the petitioner's husband has passed away on 08.11.2019. Therefore, the petitioner who is the wife of the writ petitioner therein, has sent a representation to the fifth respondent herein on 22.11.2021 seeking family pension. The petitioner has again sent another representation to the official respondents on 16.01.2023 seeking family pension. However, no orders have been passed. Hence, the present writ petition.



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4. Considering the order passed by this Court in W.P(MD) No. 17939 of 2019, dated 19.08.2019, this Court is inclined to direct the fifth respondent herein to consider the representation of the petitioner dated 22.11.2021 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

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

19.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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7. The Commissioner,
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R.VIJAYAKUMAR,J.

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