

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12775 of 2015

K.Subha

.. Petitioner

- Vs -

- 1.The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai - 600 009.
 2. The Chairman,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai - 600 035.
 3. Accounts Officer (Pension),
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai - 600 035.
- .. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to disburse the monthly pension amount as payable in the name of the petitioner's deceased mother (Late) K.Mangaleswari by authorising the petitioner as the guardian to receive the pension amount on behalf of petitioner's mentally retarded brother Rajendirakumar after considering the representation of the petitioner dated 06.04.2015 and the No Objection Letter dated 06.04.2015 given by other legal heirs of the petitioner's deceased parents.

Petitioner : Mr.C.E.Pratap

For Respondent 1 : Mr.Rm.Muthukumar
Government Advocate

For Respondents 2&3 : Mr.V.Anandamoorthy
Standing counsel for TNHB

O R D E R

By consent, the writ petition is take up for final disposal.

2. The petitioner would state that her father (Late) V.Kothandan was employed as lift operator in the services of the second respondent viz., Tamil Nadu Housing Board. He has got voluntary retirement and was receiving pension of Rs.2,095/-. After his demise, the petitioner's mother Tmt.K.Mangaleswari was receiving family pension and she died on 24.08.2013, leaving behind five legal heirs. The petitioner is the eldest daughter of the late V.Kothandan and K.Mangaleswari. She submitted a representation dated 06.04.2015, to the respondents stating that she is virtually in the state of penury and she has to maintain her younger brother Rajendirakumar who suffers 60% spastic disability and 65% mentally retarded and to maintain him, the family pension which was paid to her mother is required. Since she has not been favoured with any response, she has come forward with this writ petition.

3. Heard the submissions of Mr.C.E.Pratap, learned counsel appearing for the petitioner, Mr.Rm.Muthukumar, learned Government Advocate accepts notice for the first respondent and Mr.V.Anandamoorthy, learned standing counsel accepts notice for respondents 2 and 3.

4. In the light of the above facts and circumstances, this Court, without going into the merits of the representation of the petitioner, directs the third respondent to consider and dispose of the application of the petitioner dated 06.04.2015, on merits and in accordance with law and pass orders as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

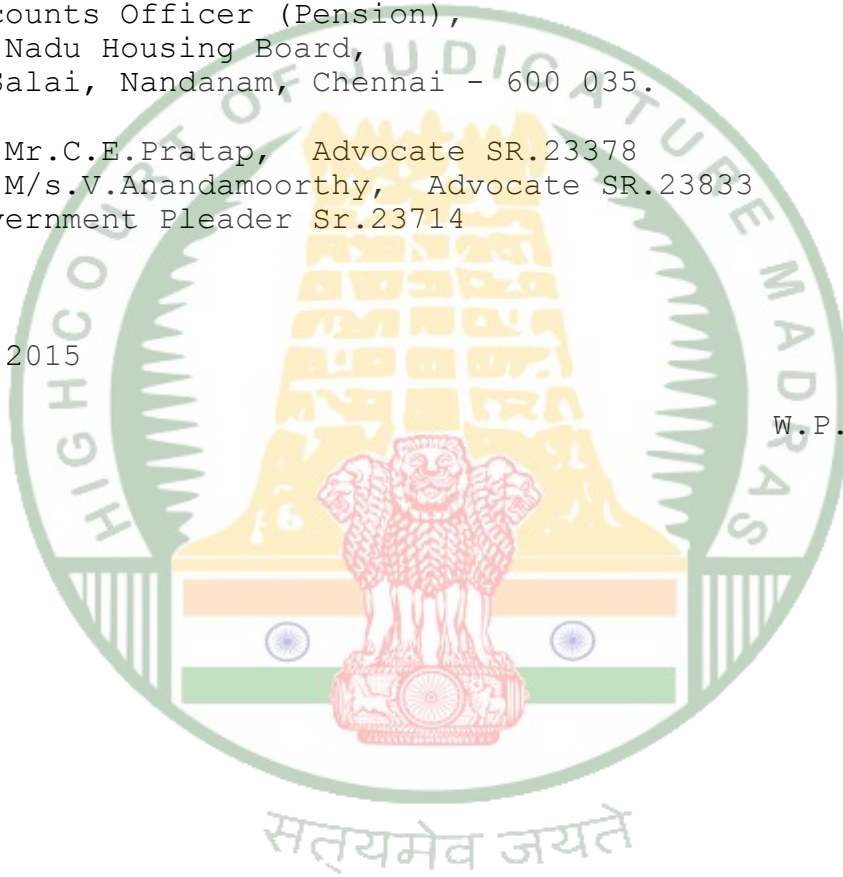
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To

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu, Secretariat, Fort St. George,
Chennai - 600 009.
 2. The Chairman,
Tamil Nadu Housing Board,
Anna Salai, Nandanam, Chennai - 600 035.
 3. The Accounts Officer (Pension),
Tamil Nadu Housing Board,
Anna Salai, Nandanam, Chennai - 600 035.
- + 1 cc to Mr.C.E.Pratap, Advocate SR.23378
+ 1 cc to M/s.V.Anandamoorthy, Advocate SR.23833
+ 1 cc Government Pleader Sr.23714

UG(CO)
EU 30.04.2015

W.P.No.12775 of 2015



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