

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.35212 of 2014

Malliga Jayapal

[ Petitioner ]

Vs

- 1 The Principal Accountant General  
(Audit and Civil) Tamilnadu  
Anna Salai Chennai 18
  - 2 The Treasury Officer  
Office of the Sub Treasury Salem District
  - 3 The Branch Manager  
Indian Bank No.589 Fort Main Road  
Shevapet Salem 636 002
- [ Respondents ]

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the respondents to sanction and disburse Family Pension and Gratuity to the petitioner within a time frame.

For Petitioner : Mr.V.Thirupathi  
For Respondents : Mr.M.S.Ramesh, AGP (R2)

O R D E R

The petitioner is the widow of late P.R.Jayavel, who worked as a Teacher. The said Jayavel died on 12.04.1988. The 1st respondent sanctioned pension to the petitioner vide PPO.No.350793/F.A. She was paid pension periodically. Thereafter, the 3rd respondent issued notice to the petitioner asking per to remit the excess amount of pension. This made the petitioner to file a Civil Suit in O.S.No.217 of 2009 before the District Principal Munsif Court, Salem. The suit was dismissed by Judgment and decree dated 4.3.2010. While dismissing the suit, the trial Court directed the 1st respondent not to retain or withhold the entire pension amount. There was a further direction to the 1st respondent to pay substantial amount of pension periodically.

2. It is the grievance of the petitioner that inspite of the decree and the earlier order sanctioning pension, the 3rd respondent has not disbursed the pension. Therefore, the petitioner is before this Court.

3. The 3rd respondent is the Bank entrusted to disburse the pension amount on receipt of the same from the 1st respondent. It is for the 1st respondent to look into the grievance projected by the petitioner.

4. The petitioner is given liberty to submit a comprehensive representation to the 1st respondent to pay pension every month. The 1st respondent is directed consider and dispose of the representation as expeditiously as possible, and in any case, within a period of eight weeks from the date of receipt of such representation.

4. The Writ Petition is disposed of with the above direction. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Principal Accountant General  
(Audit and Civil) Tamilnadu  
Anna Salai Chennai 18
- 2 The Treasury Officer  
Office of the Sub Treasury Salem District
- 3 The Branch Manager  
Indian Bank No.589 Fort Main Road  
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MG (CO)  
Eu 2.03.15

W.P.No.35212 of 2014

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