

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21153 of 2015

R.Baskaran

... Petitioner

Versus

1.The Principal Accountant General
(Accounts & Entitlements)
Tamil Nadu
Chennai-18

2.The Director of Elementary Education
DPI College Road
Chennai-600 006

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to include the name of the petitioner's wife P.Rajalakshmi in the place of his deceased wife R.Indrani as nominee for family pension in PPO.No.A942969.Edn. Within a fixed time frame.

For Petitioner : Mr.M.Selvam
For respondents : Mr.V.Vijaya Shankar for R1
Mrs.M.E.Raniselvam, AGP for R2

सत्यमेव जयते
O R D E R

The petitioner herein came up before this Court earlier with a similar prayer by filing Writ Petition No.32759 of 2012 and the said writ petition was disposed of by this Court on 07.12.2012.

2. The petitioner served as a Teacher in a Panchayat Union Elementary School, Pennagaram. He retired from service on 13.07.1997. Earlier he got married one R.Indrani on 08.06.1972. According to him, he divorced his wife viz., R.Indrani after 10 years of marriage, thereafter, he married one P.Rajalakshmi on 15.11.1988. Therefore, the petitioner wanted the name of P.Rajalakshmi recorded as nominee in Pension Book to receive the Family Pension in PPO.No.A942969/Edn.

3. This Court, while passing orders in W.P.No.32759 of 2012, on 07.12.2012, directed the petitioner to send a detailed representation to the respondents within two weeks and on receipt of the same, the respondents were further directed to consider the same and pass appropriate orders within a period of six weeks.

4. According to the petitioner, the order of this Court passed in W.P.32759 of 2012 was not complied with; however, the petitioner has not chosen to file a Contempt Petition, but chosen to file the present writ petition, seeking similar relief as sought for in W.P.No.32759 of 2012.

5. In view of the above, the petitioner withdraws this Writ Petition with liberty to file Contempt Petition against the respondents. The petitioner is permitted to withdraw, with liberty as sought.

6. The Writ Petition is disposed of with the above observation. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Principal Accountant General
Accounts & Entitlements)
Tamil Nadu
Chennai-18

2.The Director of Elementary Education
DPI College Road, Chennai-600 006

+1cc to the Govt. Pleader Sr.36062
+1cc to Mr. M. Selvam, Advocate Sr.36470

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VP (CO)
RS 07/08/2015