

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24305 of 2015

And

M.P.No.1 of 2015

Y.Rani ... Petitioner

Vs.

- 1 State by Secretary to
Government Urban Development Department
Fort St. George Chennai-9
 - 2 The Commissioner
Corporation of Chennai Rippon Buildings
Chennai-3
 - 3 The Zonal Officer
Zone V Corporation of Chennai Chennai
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to sanction family pension to the petitioner herein without any further delay.

For Petitioner : Mr.R.Ramesh
For Respondents : Mr.R.Vijayakumar for R1
Additional Government Pleader
Mr.S.Saravanan for R2 and R3

ORDER

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

2.The petitioner would state that she is the wife of late Y.Devaiah who was employed as Sanitary Worker in the services of the second respondent namely, Corporation of Chennai and he retired from service on 30.06.2009 and after his retirement, he was paid with pension and in the pension book also, the name of the petitioner has been included and joint photo of the petitioner's husband along with the petitioner were also affixed and he was regularly drawing pension

through the Indian Overseas Bank, Sowcarpet Branch, Chennai and the petitioner's husband died on 25.05.2013.

3. Thereafter, the petitioner submitted a representation dated 11.09.2014 enclosing legal heir certificate as well as other required particulars and praying for payment of pension and since the representation dated 11.09.2014 submitted in that regard has not been given disposal, she filed W.P.No.30658 of 2014 and this Court vide order dated 24.11.2014 directed the second respondent herein to consider and dispose of the petitioner's representation within a stipulated time. The third respondent in compliance of the above said order, has sent a communication dated 28.04.2015 calling for certain particulars and according to the petitioner, it is also furnished along with her letter dated 15.05.2015 and inspite of that, she is yet to be paid with family pension and hence, came forward to file this writ petition.

4. Heard the submissions of Mr.R.Ramesh, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the first respondent and Mr.S.Saravanan, learned counsel who accepts notice on behalf of the respondents 2 and 3.

5. Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the second respondent to consider and dispose of the petitioner's representation on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar (CSIV)

dt:02/09/2015

True Copy

Sub-Assistant Registrar

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To

- 1 State by Secretary to
Government Urban Development Department
Fort St. George Chennai-9

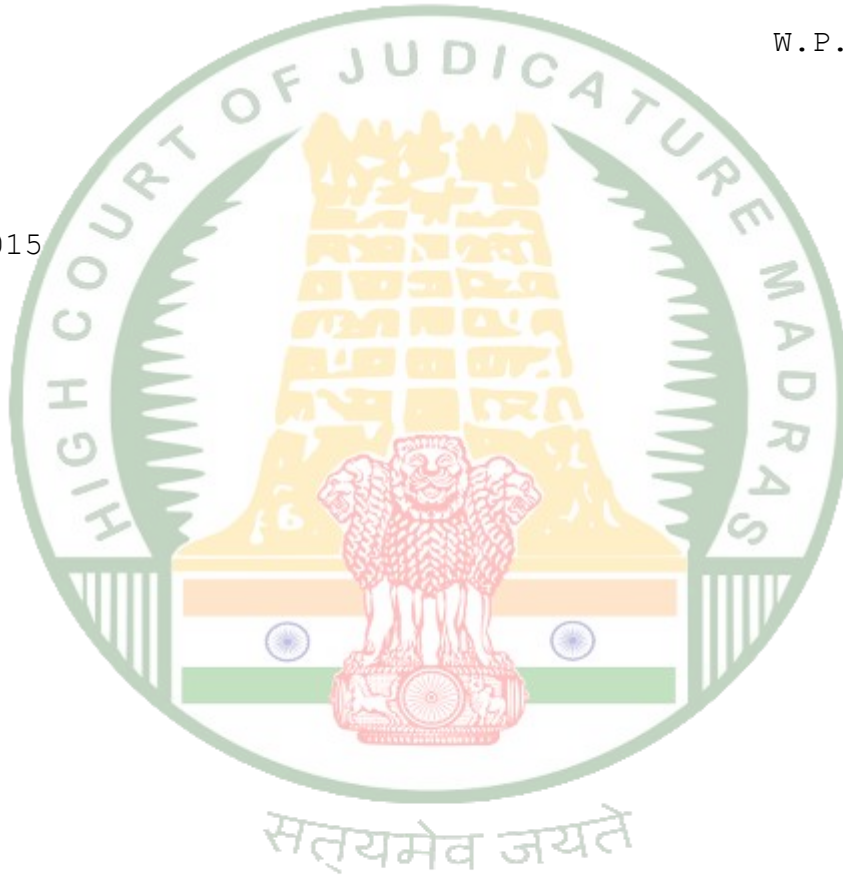
2 The Commissioner
Corporation of Chennai Rippon Buildings
Chennai-3

3 The Zonal Officer
Zone V Corporation of Chennai Chennai

+1 cc to Mr.S.Saravanan, Advocate sr.41022
+1 cc to Mr.R.Ramesh, Advocate sr.41080
+1 cc to Government Pleader sr.41222

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