

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33837/2015

M.Subramanian

..Petitioner

Vs

1. The Secretary
Tamilnadu Labour Welfare Board
DMS Complex, Teynampet
Chennai 600 018.

2. The Director of Pension
DMS Complex, Teynampet
Chennai 600 018.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents herein to pay the arrears of Family Pension of Rs.1,31,435/- for the period from 01.01.2007 to 16.12.2009 with interest at 18% per annum to the petitioner implementing G.O.Ms.No.235 dated 01.06.2009 Finance [Pay Cell] Department, within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.V.Subbiah, Spl.GP

ORDER

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

2. The petitioner would state that he is the husband of Mrs.C.Jaya, who was working as an Organiser in Thiruthangal Labour Welfare Office and she died in harness on 16.12.2002, leaving behind the petitioner as the sole legal heir and he was also nominated for getting Family Pension. Accordingly, the petitioner was sanctioned a sum of Rs.2550/- towards Dearness and other Allowances for the period from 17.12.2002 to 16.12.2009 and a sum of Rs.1530/- towards Ordinary Family Pension from 17.12.2009. According to the petitioner, in terms of G.O.Ms.No.235, Finance [Pay Cell] Department dated 01.06.2009, the pension ought to have been revised and the petitioner should have been paid a sum of Rs.5763/- towards revised pension with effect from 01.01.2006. However, the petitioner was paid with a sum of Rs.2550/- per month only till 16.12.2009 and consequently, he is entitled to get the arrears totalling to a sum of Rs.1,31,445/- for the period from 01.01.2007 to 16.12.2009 and in this regard, he has submitted a representation dated 26.03.2015 to the 1st respondent and though it

was received and acknowledged on 06.04.2015, he is yet to be favoured with any response and hence, he came forward to file this writ petition.

3. Heard the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's representation dated 26.03.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. No costs.
AP

Sd/-
Assistant Registrar (C.C.C.)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary
Tamilnadu Labour Welfare Board
DMS Complex, Teynampet
Chennai 600 018.

2. The Director of Pension
DMS Complex, Teynampet
Chennai 600 018.

+1 C.C. To MR.K.Govi Ganesan, Advocate in SR.NO.582102

+1 C.C. To Government Pleader in SR.NO.58614

W.P.No.33837/2015

MG (CO)
sd : 06/11/2015