

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2015

CORAM:

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.29601 of 2013

P.Santhi

... Petitioner

Vs.

1.The Accountant General of Tamil Nadu,  
Office of Accountant General (A & E),  
Teynampet,  
Chennai - 18.

2.The Sub Registrar,  
Kalasapakkam,  
Thiruvannamalai District.

... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ of Declaration, declaring the petitioner in eligible from receiving the family pension in the light of the Rules of Tamil Nadu Pension Rules,1978 and direct the first respondent to pass appropriate order to payment of family pension to the petitioner from the date of death of her husband together with arrears and grant such other relief.

For Petitioner : Mr.P.Ganapathy

For Respondents: Ms.P.Kavitha  
Government Advocate

O R D E R

The petitioner has come before this Court seeking a direction/declaration that the petitioner in eligible for receiving the family pension in the light of the Rules of Tamil Nadu Pension Rules,1978 and direct the first respondent to pass appropriate order to payment of family pension to the petitioner.

2. Heard Mr.P.Ganapathy, learned counsel appearing for the petitioner and Ms.P.Kavitha, learned Government Advocate appearing for the respondents.

3. It is seen that the petitioner's husband Parkunan, who was working as Head Clerk in the Registration Department, died on 23.04.1994. According to the petitioner, being a widow, she is entitled to get family pension amount but the same was denied as she was convicted for murdering her husband. Latter, she was acquitted by this Court in Criminal Appeal No.845 of 1996, by judgment dated 14.02.2005. Therefore, she seeks a direction to grant family pension to the petitioner for the death of her husband Parkunan, who was working as Head Clerk in the Registration Department.

4. Though the petitioner earlier has given a representation dated 12.10.2012, that was not acted upon. Taking into consideration that three years have passed, it is appropriate to direct the petitioner to give fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and on such representation, the second respondent is directed to consider the petitioner's request for grant of family pension, considering the judgment passed by this Court in Criminal Appeal No.845 of 1996, by which the petitioner was acquitted, within a period of four weeks thereafter.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-  
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

rrg

To

1.The Accountant General of Tamil Nadu,  
Office of Accountant General (A & E),  
Teynampet,  
Chennai - 18.

2.The Sub Registrar,  
Kalasapakkam,  
Thiruvannamalai District.

1 cc to Mr.P. Ganapathy, Sr,. 17067  
1 cc to Government Pleader, Sr. 17331

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