



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)No.15706 of 2014

S.Ramalakshmi

... Petitioner

Vs.

1.The Accountant General,
(Accounts and entitlements) of Tamil Nadu,
Office of the Accountant General
of Tamil Nadu,
361, Anna Salai,
Chennai - 600 018.

2.The Treasury Officer,
Collectorate,
Palayamkottai,
Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to issue orders for the restoration of 100% family pension to the petitioner based on the representation, dated 27.06.2014 and pass such further or other orders.

For Petitioner: Mr.J.Jeyakumaran

For R - 1 : Mr.P.Gunasekaran

For R - 2 : Mr.J.Gunaseelan Muthiah, Govt. Advocate

ORDER

The petitioner seeks for a Mandamus directing the first respondent to issue orders for the restoration of 100% family pension to the petitioner based on the representation, dated 27.06.2014.

2. The grievance of the petitioner is that after the death of the first wife of the deceased husband of the petitioner, she is entitled to get 100% pension. It is further stated by the petitioner that the factum of death of the first wife namely Valliammal was also intimated to the respondents.



3. Mr.J.Gunaseelan Muthiah, learned counsel appearing for the second respondent submitted that the petitioner has to surrender the authorisation issued in favour of the said Valliammal and also by enclosing the Death Certificate of the said person before the second respondent and if the same is done, the second respondent will send the proposal to the first respondent, who in turn will consider the claim of the petitioner and pass appropriate orders without any further delay.

4. Considering the submission made by the learned counsel appearing for the respondents, this Writ Petition is disposed of with a direction to the petitioner to surrender the authorisation issued in favour of the said Valliammal (first wife) along with the Death Certificate of the said person before the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such particulars, the second respondent shall forward the proposal to the first respondent for disbursement of 100% pension to the petitioner within a period of two weeks thereafter and on receipt of such proposal from the second respondent, the first respondent shall pass appropriate orders within a period of two weeks thereafter. No costs.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub-Assistant Registrar

To

1.The Accountant General,
(Accounts and entitlements) of Tamil Nadu,
Office of the Accountant General of Tamil Nadu,
361, Anna Salai, Chennai - 600 018.

2.The Treasury Officer, Collectorate,
Palayamkottai, Tirunelveli, Tirunelveli District.

+1cc to Mr.J.Jeyakumaran, Advocate, in SR. No.10650.

+1cc to Special Government Pleader, in SR No.10978.

W.P(MD)No.15706 of 2014
05.03.2015

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