



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE D. HARI PARANTHAMAN

W.P (MD) No. 20433 of 2015

P. Raja Baby

: Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Secretary,
Higher Education Department,
Secretariate,
Chennai-600 009.

2. The Principal Accountant General (A&E)
361, Anna Salai,
Teynampet, Chennai-600 018.

3. The Chief Educational Officer (CEO)
S.L.B. Campus, Nagercoil,
Kanyakumari District.

4. The Headmaster,
Government High School,
Peruvilai Post, Kalkulam Taluk,
Kanyakumari District-620 003.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to sanction and disburse the eligible family pension with arrears and accrued interest to the petitioner on account of the death of petitioner's husband A. Selvamony, who died while in service.

For Petitioner	: Mr. E. K. Joji	Victor Ellis
For R2	: Mr. P. Gunasekaran	Government Advocate
For R1, R3 and R4	: Mr. T. S. Md. Mohideen	Addl. Govt. Pleader

ORDER

The husband of the petitioner joined in the Indian Army Service as Soldier on 13.09.1962 and retired from service on 30.09.1980. After retirement, he joined as an Office Assistant in the fourth respondent School, Peruvilai Government Higher Secondary School, on 15.11.2001 based on the order of the Thuckalay District Educational Officer in Na. Ka. No. 8534/m-1/2001, dated 12.11.2001.

2. While so, the husband of the petitioner died on 09.12.2001. The petitioner states that they have no child. Though the petitioner is getting family pension for the service rendered by the husband in the Indian Army, the petitioner has not received any benefits for the service rendered by the husband of the petitioner in the fourth respondent school. The petitioner sent a representation on 31.08.2015 to the respondents No. 2 to 4 to settle the (*) **Family Pension** payable due to the death of her husband on 09.12.2001.



3. In the circumstance, the writ petition is disposed of directing the fourth respondent to send proposal through the third respondent to the second respondent relating to the **(*)Family Pension** if any payable to the petitioner. If the petitioner is not entitled to get any benefits for any reasons, the same has to be communicated to the petitioner. The fourth respondent is directed to send the proposal within a period of four weeks from the date of receipt of a copy of this order to the third respondent and the third respondent in turn is directed to pass an appropriate orders thereon, within a period of three weeks and forward the same to the second respondent. The second respondent is directed to pass an appropriate orders on merits and in accordance with law within a period of two weeks thereafter.

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

Sd/-

Assistant Registrar (AE)

(*) "FOR BEING MENTIONED ORDER

DATED 19/01/2016 MADE IN WP(MD) NO. 20433/15

BY DHPJ

/True Copy/

Sub Assistant Registrar

To

(*) TO BE SUBSTITUTED THE ORDER ALREADY DESPATCHED ON 04/12/2015

1. The State of Tamil Nadu,
Secretary, Higher Education Department,
Secretariate, Chennai-600 009.
2. The Principal Accountant General (A&E)
361, Anna Salai,
Teynampet, Chennai-600 018.
3. The Chief Educational Officer (CEO)
S.L.B. Campus, Nagercoil,
Kanyakumari District.
4. The Headmaster,
Government High School,
Peruvilai Post, Kalkulam Taluk, Kanyakumari District-620 003.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 66196

+ 1 CC TO E.K. JOHN VICTOR ELLIS, ADVOCATE IN SR NO. 66063

NS

TE/SK-SKN/ 01/12/2015

RL/7C/NGM/SS/SARII/29/1/2016