



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.2809 of 2015

Thangammal

... Petitioner

Vs.

1. The Accountant General, (A&E)
Office of the Accountant General, Chennai -18.
2. The Sub Treasury Officer,
Office of the Sub Treasurer,
Thirumangalam, Madurai District.
3. The Executive Engineer,
Public Works Department, (Ground Water Division)
Karaikudi, Sivagangai District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondents to grant full pension to the petitioner in view of the death of her husband namely Raman, who was working as Driver in the third respondent's office, by considering the representation given by the petitioner dated 20.01.2015.

For Petitioner :Mr.N.Sathish Babu

For Respondents :Mr.P.Gunasekaran,
For R1
:Mr.K.P.Krishnadoss,
Govt., Advocate for R2&R3.

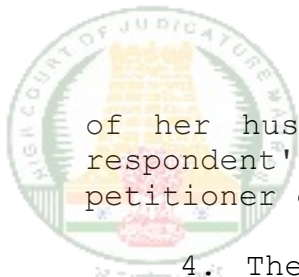
ORDER

Mr. P.Gunasekaran, learned Counsel takes notice for the first respondent and Mr.K.P.Krishnadoss, learned Government Advocate takes notice for the second and third respondents. By consent of both the parties, the main writ petition itself is taken up for final disposal at the stage of admission.

2. Heard the learned Counsel appearing for the petitioner and the learned Counsel appearing for the first respondent and the learned Government Advocate appearing for the second and third respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The petitioner is seeking for a Writ of Mandamus to direct the respondents to grant full pension to the petitioner in view of the death



of her husband namely Raman, who was working as Driver in the third respondent's office, by considering the representation given by the petitioner dated 20.01.2015.

4. The petitioner's husband was working as a driver in the third respondent's office and retired from service on 28.02.2003. Thereafter due to illness he died on 22.10.2004. The petitioner obtained succession Certificate. It is stated that the petitioner was paid only 50 percent of the Family Pension instead of 100 percent and therefore she made the above representation seeking for full pension. It is also stated in the affidavit filed in support of the Writ Petition that the petitioner's deceased husband was having a second wife also namely one Dhanam.

5. This court is not inclined to go in to all those contentions since the question whether the petitioner is entitled to get full pension or not, is for the respondents 1 and 2, to consider and decide the claim of the petitioner on merits and therefore this Writ Petition is disposed of, only with a direction to the respondents 1 and 2 to consider the representation of the petitioner dated 20.01.2015 and pass orders on the same on merits and in accordance with law within twelve weeks from the date of receipt of copy of this order also by hearing the rival claimant if any. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

TO

1. The Accountant General, (A&E)
Office of the Accountant General, Chennai -18.
2. The Sub Treasury Officer,
Office of the Sub Treasurer,
Thirumangalam, Madurai District.
3. The Executive Engineer,
Public Works Department, (Ground Water Division)
Karaikudi, Sivagangai District.

+1cc to Mr.N.Sathis Babu, Advocate in SR.No.10192
+1cc to Mr.P.Gunasekaran, Advocate in SR.No.10360
+1cc to Special Government Pleader in SR.No. 10223

Sm:11.03.2015:2P/7C:

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