



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2015

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WRIT PETITION (MD) No.5865 of 2015

WEB COPY

D.Vasantha

... Petitioner

-vs-

1. The Accountant General,
AG Office,
361, Anna Salai,
Chennai-18.

2. The Superintendent of Police,
District Police Office,
Subramaniapuram,
Trichy.

Respondents

...

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ in the nature of Mandamus, directing the respondents to sanction family pension Pay Order No.POL.Y/172 to the petitioner based on the communication vide Na.Ka.No.k2/26400/2014 dated 02.09.2014 sent by the 2nd respondent to the 1st respondent.

For Petitioner : Mr.N.Mohan

For R1 : Mr.P.Gunasekaran

For R2 : Mr.S.Kumar

Addl. Govt. Pleader

O R D E R

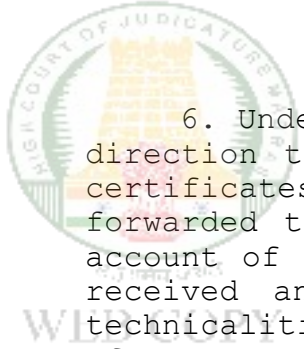
The petitioner has come forward with this writ petition, seeking for a direction to the respondents to sanction family pension Pay Order No.POL.Y/172 to the petitioner based on the communication vide Na.Ka.No.k2/26400/2014 dated 02.09.2014 sent by the 2nd respondent to the 1st respondent.

2. By consent of the learned counsel on either side, this Writ Petition itself is taken up for hearing for final disposal.

3. Learned Standing Counsel for the first respondent submits that for want of certificates from the second respondent, the petitioner was not given the benefit of pension in terms of G.O.Ms.No.325 dated 28.11.2011, which is admittedly applicable to the petitioner.

4. However, learned Additional Government Pleader appearing for the second respondent submits that the second respondent has already forwarded a copy of all the certificates, as required by the first respondent vide letter dated 28.08.2014.

<https://hcservices.courts.gov.in/hcservices/>
5. At this juncture, learned counsel for the petitioner submits that the petitioner has got no objection in handing over again a copy of set of documents / certificates to both the respondents.



6. Under such circumstances, this Writ Petition is disposed of with a direction to the second respondent to once again forward a copy of the certificates to the first respondent, which they have reportedly been forwarded to the first respondent by communication dated 28.08.2014, on account of the statement made by the first respondent that they have not received any documents from the other end, without standing on the technicalities, within a period of fifteen days from the date of receipt of a copy of this order, as it is conceded by the first respondent that the petitioner is entitled to get the benefit as per G.O.Ms.No.325 dated 28.11.2011. The petitioner is also directed to furnish a copy of necessary certificates / documents to both the respondents along with a copy of this order. On receipt of necessary certificates / documents, the first respondent is directed to process the same and pass final orders in accordance with law within a period of one month from the date of receipt of a copy of the certificates / documents from the second respondent. No costs.

Sd/-

Assistant Registrar (Per Admn)

/True copy/

Sub Assistant Registrar

To:

1. The Accountant General,
AG Office,
361, Anna Salai,
Chennai-18.
2. The Superintendent of Police,
District Police Office,
Subramaniapuram,
Trichy.

+1cc to M/s.P.Gunasekaran, Advocate SR.No.20615

+1cc to M/s.N.Mohan, Advocate SR.No.19564

+1cc to Special Government Pleader SR.No.20347

sm:06.05.2015:2P/6C

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