

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12234 of 2016

V.Mahalakshmi

.. Petitioner

-vs-

1. The Principal Accountant General
(Accounts & Entitlement)
Tamil Nadu
No.361, Anna Salai
Chennai 600 018

2. The Divisional Engineer (H & RW)
Tiruvarur 610 001 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's application for Family Pension dated 26.02.2015 expeditiously.

For Petitioner::Mr.K.Soundararajan

For Respondents::Mr.S.Gunasekaran
Additional Government Pleader for R2

ORDER

The petitioner's husband late Venu, after serving as Gang Mazdoor in the second respondent office, retired from service on 30.6.2001 and subsequently he also passed away on 14.6.2011. Till his demise, he was receiving pension vide the Pension Payment Order No.C-79724/HW. Therefore, she made a representation on 12.1.2012 to the Assistant Divisional Engineer, Highways, Mannargudi for mutation in order to receive the family pension. She has also furnished the Form No.14 to the second respondent with all the necessary records and also sent one another representation on 7.1.2013 to the first respondent requesting to call for family pension proposal from the second respondent. On 8.1.2013, the first respondent sent a communication stating that the second respondent was addressed to forward the family pension proposal for scrutiny and further action. Finally the Assistant Divisional Engineer, Highways, Mannargudi sent the proposal to the second respondent on

15.7.2013. But it appears that the second respondent has not forwarded the pension proposal back to the first respondent for sanction of family pension to the petitioner. Therefore, she has come to this Court.

2. Mr.S.Gunasekaran, learned Additional Government Pleader takes notice on behalf of the respondents.

3. Considering the fact that the petitioner, being the wife of late K.Venu, is suffering for her bread and butter without receiving the family pension, a direction in this regard deserves to be issued. Accordingly, the second respondent is hereby directed to forward the family pension proposal in respect of the petitioner to the first respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of such proposal from the second respondent, the first respondent shall consider the same and pass appropriate orders in accordance with law within a further period of four weeks. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Accountant General,
(Accounts & Entitlement),
Tamil Nadu,
No.361, Anna Salai,
Chennai 600 018.

2. The Divisional Engineer (H & RW),
Tiruvapur 610 001.

+1cc to Mr.K.Soundararajan, Advocate, S.R.No.20638
+1cc to the Government Pleader, S.R.No.20915

W.P.No.12234 of 2016

bvr (CO)
srg (21/04/2016)