

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4652 of 2016

M.Saraswathi

.. Petitioner

-VS-

1. The Director of Treasuries & Accounts
Panagal Buildings, Saidapet Chennai 600 015
2. The Treasury Officer
The District Treasury
Coimbatore 641 018 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to sanction and settle the family pension, other retiral benefits including the compassionate appointment within a reasonable time fixed by this Hon'ble Court.

For Petitioner	::	Mr.K.Premkumar
For Respondents	::	Mr.P.Chinnadurai
		Government Advocate

ORDER

The petitioner's husband Mr.N.Mahalingam, while serving as Junior Assistant in the department of Treasuries & Accounts, was not heard for number of years. Therefore, the petitioner Mrs.M.Saraswathi approached the second respondent to settle all his terminal benefits including the service benefits. But the second respondent informed the petitioner that the terminal benefits would be sanctioned only on production of the death certificate and legal heir certificate, as a result the petitioner approached the learned District Munsif cum Judicial Magistrate, Valparai and obtained a judgment and decree in O.S.No.41 of 2010 dated 8.7.2011 declaring that the petitioner's husband was deemed to have been dead. On the basis of the said judgment and decree, the petitioner again approached the second respondent to sanction the terminal benefits including family pension. Only thereafter, the proposal has been sent and the same is also pending. Therefore the petitioner has come to this Court.

2. The learned Government Advocate appearing for the respondents, on being briefed by the learned counsel for the petitioner about the pendency of the proposal sent vide the proceeding dated 8.4.2015 by the second respondent to the first respondent, sought for six weeks time to settle the entire terminal benefits to the petitioner.

3. But this Court is inclined to grant only four weeks time to the respondents to pass final orders. Accordingly, the writ petition is disposed of with a direction to the respondents to disburse the entire terminal and retiral benefits of the petitioner's husband to the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

ss

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

1. The Director of Treasuries & Accounts
Panagal Buildings, Saidapet
Chennai 600 015

2. The Treasury Officer
The District Treasury
Coimbatore 641 018

+ 1 cc to Mr.K.Premkumar,Advocate, SR 7968

+ 1 cc to Government Pleader, High Court, Madras SR 8222

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