

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.9310 of 2016

Rami

.. Petitioner

-Vs-

1. The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai-9.
2. The Divisional Forest Officer,
Modern Nursery Division,
Dharmapuri District,
Dharmapuri 636 705.
3. The Principal Accountant General,
361, Anna Salai, Teynampet,
Chennai 600 018.

.. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents to dispose of petitioner's representation dated 29.11.2014 and 11.02.2015 to sanction family pension and other consequential benefits to petitioner with 18% of interest on such delayed payment.

For Petitioner : Mr.T.Dharani

For Respondents : Mr.N.Inbanathan,
Government Advocate (Forest)
for R1 and R2

ORDER

The petitioner, Rami, wife of Late M.Pillappa, who served as Sapper in Military Services from 12.07.1957, joined the office of the first respondent as an Office Assistant on 19.07.1978 and his service was also regularised with effect from 27.07.1978 on completion of probation period. Thereafter, he expired on 20.08.1997. As the petitioner is the legally wedded wife, she

has given representations dated 29.11.2014 and 11.02.2015 to sanction the family pension for the services rendered by her husband. But the same has not been responded by the respondents. Therefore, she is before this Court.

2.Learned counsel appearing for the petitioner would submit that the second respondent in and by letter C.No.1827/2014 dated 07.07.2015 sent a proposal to the third respondent stating that the petitioner may be sanctioned and authorised for payment through Sub Treasury, Hosur.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for respondents 1 and 2.

4.When there is a proposal sent by the second respondent sanctioning the family pension, it is not known why till date no decision has been taken by the respondents. Therefore, the petitioner is directed to furnish a fresh representation along with this copy of the order to the respondents, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the respondents shall consider and pass orders, on merits and in accordance with law, in the light of the judgment dated 07.09.2010 made in W.P. Nos.4117 etc. batch, within a period of three weeks thereafter.

5.With the above direction, the Writ Petition is disposed of. No costs.

vga

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai-9.
2. The Divisional Forest Officer,
Modern Nursery Division,
Dharmapuri District,
Dharmapuri 636 705.

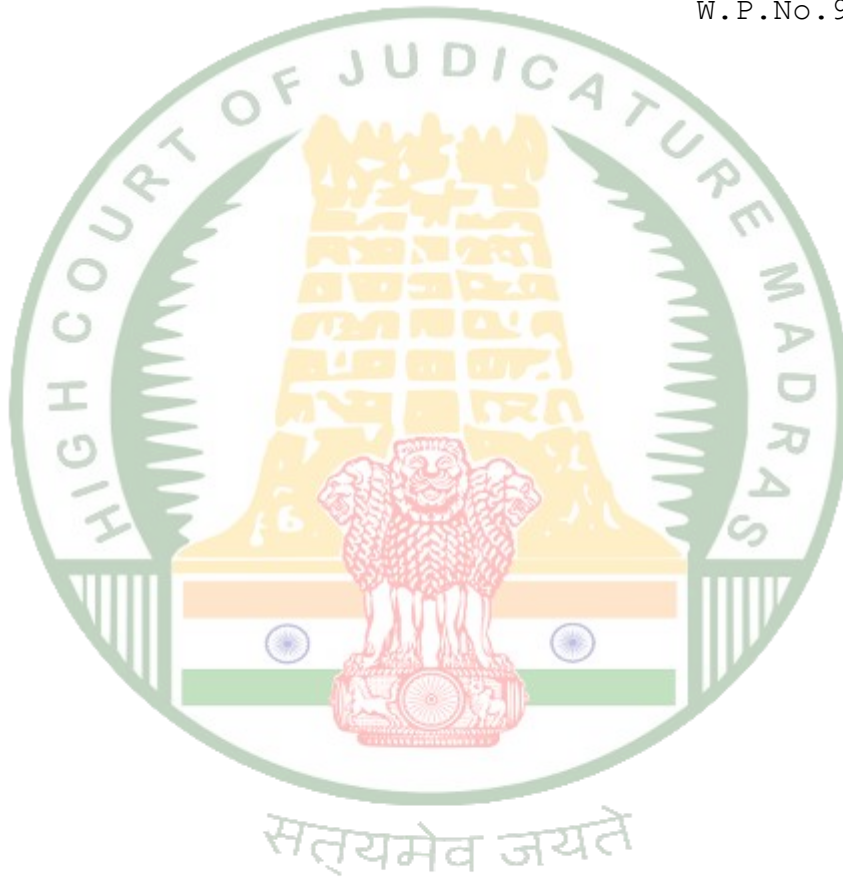
3. The Principal Accountant General,
361, Anna Salai, Teynampet,
Chennai 600 018.

+ 1 CC TO Mr.T.Dharani, ADVOCATE SR 16000

+ 1 CC TO SPL.GOV.T.PLEADER (FOREST) SR 16226

KR/13/4/16

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