



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 08.03.2016  
CORAM

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THE HONOURABLE **MRS.JUSTICE PUSHPA SATHYANARAYANA**  
**W.P(MD) .No.13901 of 2015**

Ariyamala

.. Petitioner

Vs.

1. The Accountant General (Pension) (A&E),  
No.361, Annasalai,  
Chennai - 600 018.

2. The District Educational Officer,  
Trichy District, Trichy.

3. The Headmaster,  
Government Higher Secondary School,  
Peruvalappur, Lalgudi Taluk, Trichy District.

4. The Treasury Officer,  
Sub Treasury Office,  
Lalgudi, Trichy District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to sanction the family pension to the petitioner from the date of death of petitioner husband Chinnayyan who retired as a Special Grade Sweeper in the 3<sup>rd</sup> respondent school on the basis of petitioner's representation dated 25.06.2015 within a stipulated time and to direct the first respondent to pay the monthly family pension to the petitioner by considering the petitioner's representation dated 25.06.2015.

For Petitioner : Mr.A.Robinson

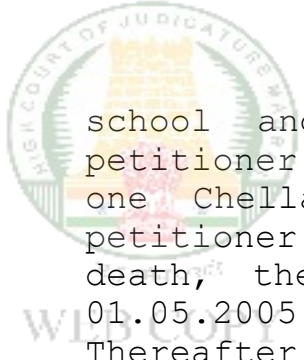
For Respondents : Mr.Aayiram K.Selvakumar  
Government Advocate

**ORDER**

The writ petition has been filed for issuance of writ of Mandamus directing the respondents to sanction the family pension to the petitioner from the date of death of her husband Chinnayyan who retired as a Special Grade Sweeper in the 3<sup>rd</sup> respondent school on the basis of her representation dated 25.06.2015 within a stipulated time and to direct the first respondent to pay the monthly family pension to the petitioner by considering the petitioner's representation dated 25.06.2015.

2.Heard the learned counsel appearing on either side.

<https://hcservices.courts.gov.in/hcservices/>  
3. One of the petitioner is that her husband Chinnayyan was serving as a Senior Grade Sweeper in the third respondent



school and he was retired from service on 31.08.2000. The petitioner is the second wife of the petitioner. The first wife is one Chellammal, who is none other than the sister of the petitioner. The said Chellammal died on 27.04.2005. After her death, the petitioner was married to the said Chinnayyan on 01.05.2005. The petitioner's husband died on 01.12.2005. Thereafter, the Tahsildar, Lalkudi has issued a legal heir certificate showing the petitioner and one Ambarasi, who is born through the first wife, as legal heirs of the said Chinnayyan. Hence, the petitioner made a representation to the respondents on 25.06.2015 requesting them to pay family pension. But till date, the same has not been considered by the respondents. Therefore, the petitioner has come up with this writ petition.

4. In the counter affidavit, it is stated that deceased Chinnayyan had nominated his wife Chellammal and one C. Anbarasi is stated to be his daughter and the right of the nominee shall pass in the event of pre-deceasing the subscriber to the other heir and therefore, the claim of the petitioner cannot be considered.

5. In the light of the above statement, this Court, without going into the merits of the claim of the petitioner, directed the respondents to consider the representation of the petitioner, dated 25.06.2015 and pass orders on merits and in accordance with law, within a period of six- weeks from the date of receipt of copy of this order.

6. The writ petition is disposed of accordingly. No order as to costs.

Sd/  
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Accountant General (Pension) (A&E),  
No.361, Annasalai, Chennai - 600 018.
2. The District Educational Officer,  
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Government Higher Secondary School,  
Peruvalappur, Lalgudi Taluk, Trichy District.
4. The Treasury Officer,  
Sub Treasury Office,  
Lalgudi, Trichy District.

+One CC to Mr. A. Robinson Advocate in SR.No.13077