



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.09.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.18001 of 2016

WEB COPY

H.Suganthi Daniel

... Petitioner

vs.

The Treasury Officer,
Madurai District,
Madurai.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider and pass orders on the representation preferred by the Petitioner dated 30.08.2016 seeking revision of pension and for payment of arrears of pension within the time that may be stipulated by this Hon'ble Court.

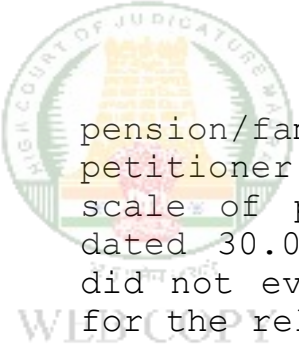
For Petitioner : Ms.T.K.Akalya for M/s.Ajmal Associates
For Respondent : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

ORDER

This Writ of Mandamus has been filed, to direct the respondent to consider and pass orders on the representation of the petitioner dated 30.08.2016 seeking revision of pension and for payment of arrears of pension within the time that may be stipulated by this Court.

2.It is the case of the petitioner that though her husband who was working as a Professor, retired on 31.08.1986, his pay scale was not refixed in accordance with G.O.Ms.No.10G Higher Education H1 Department, dated 14.05.2015 and his pay was retained in the pay band of Rs.12000-420-18300.

3.According to the petitioner, the Government taking into account the increase in the scale of pay for the persons who had retired prior to 1986, had issued a clarification letter in LR2D No.46 dated 13.04.2010 whereunder, a ready reckoner for calculation of pension/family pension was fixed for any person who had retired after 01.01.1986 at the revised pay band of Rs.37400-67000+10000 AGP.



pension/family pension at the revised scale of pay, when the petitioner alone has been given family pension at the un-revised scale of pay. Therefore, the petitioner sent a representation dated 30.08.2016 to the respondent. As the said representation did not evoke any response, this Writ of Mandamus has been filed for the relief as stated supra.

5.The learned Additional Government Pleader appearing for the respondent would submit that it is agreeable for the respondent to consider the representation of the petitioner dated 30.08.2016 and to pass orders within a time frame.

6.Recording the above submission, this Writ Petition is disposed of directing the respondent to consider the representation of the petitioner dated 30.08.2016, in the light of G.O.Ms.No.10G Higher Education H1 Department, dated 14.05.2015 and to pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub-Assistant Registrar

To

The Treasury Officer,
Madurai District,
Madurai.

+One cc to M/s.Ajmal Associates, Advocate, SR.No.55105

+One cc to The Special Government Pleader, SR.No.54723

nbi

RL/4C/2P/GSV/PM/21.10.2016

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