



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2016

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22562 of 2016

Rukmani

: Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The District Educational Officer,
Pudukkottai District.

3.The Assistant Elementary Educational Officer,
Arimalam, Pudukkottai District.

4.The Commissioner,
Panchayat Union Office,
Arimalam, Pudukkottai District.

5.The Divisional Development Officer,
Pudukkottai District.

6.The Personal Assistant to Collector (Developments),
District Collector office,
Pudukkottai, Pudukkottai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 28.09.2016 and pass orders for grant of family pension as widowed mother of the deceased teacher in the panchayat union elementary school, within a reasonable time.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents 1 to 3: Mr.V.R.Shanmuganathan,
Special Government Pleader.

For Respondents 4 & 5 : Mr.M.Alagadevan,
Special Government Pleader.

**ORDER**

This is a writ of mandamus seeking direction to the respondents to consider the representation of the petitioner dated 28.09.2016, seeking family pension to the widowed mother of the deceased, who was working in the Panchayat Union Elementary School.

2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader, who took notice for the respondents 1 to 3 and the learned Special Government Pleader, who took notice for the respondents 4 and 5. By consent, the writ petition itself is taken up for final disposal.

3. The brief facts leading to the filing of this writ petition are as follows:

The petitioner daughter is one Kaveri, who was appointed as a Teacher in the Panchayat Union Elementary School in the year 1969. She was serving till April, 1971, continuously for 3 years. The petitioner's daughter died leaving behind the petitioner and her husband, in the year 1971. The petitioner had eight daughters and a son. The petitioner's husband was managing the family with meagre income paid from the temple. The deceased was the only person, employed, who was supporting the family. The petitioner's husband was unaware of the Service Rules regarding family pension. Only during the year 2011, the husband of the petitioner came to know that they are entitled to get family pension. Thereafter, her husband applied for family pension to the respondents on 15.06.2011. The first respondent communicated the request to the second respondent for necessary action, vide proceedings dated 19.07.2011. As no action was taken, the petitioner sent representation dated 28.09.2016 to the respondents 1 to 5. Thereafter, the first respondent sent a communication dated 27.10.2016, to the second respondent for taking further action. Thereafter, no steps were taken. Therefore, this writ petition has been filed.

4. The learned counsel for the petitioner would submit that the first respondent sent a communication dated 27.10.2016, to the second respondent for taking further action.

5. Under such circumstances, the second respondent, District Educational Officer, Pudukkottai District, is directed to consider the representation of the petitioner dated 28.09.2016 in the light of the communication sent by the first respondent, District Collector, Pudukkottai District, dated 27.10.2016 and to pass orders on merits and in accordance with law, within a period of six weeks, from the date of receipt of a copy of this order.



6. With the above direction, this writ petition is disposed of.
No costs.

Sd/-

Deputy Registrar (Accounts)

/True Copy/

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Sub Assistant Registrar

smn

To

1. The District Collector,
Pudukkottai District.

2. The District Educational Officer,
Pudukkottai District.

3. The Assistant Elementary Educational Officer,
Arimalam, Pudukkottai District.

4. The Commissioner,
Panchayat Union Office,
Arimalam, Pudukkottai District.

5. The Divisional Development Officer,
Pudukkottai District.

6. The Personal Assistant to Collector (Developments),
District Collector office,
Pudukkottai, Pudukkottai District.

+1CC to The Special Government Pleader Sr.No.73220, 73243

CSL/11.1.17-3p-8c

ORDER MADE IN
W.P(MD) No.22562 of 2016
25.11.2016