

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.03.2016****CORAM:****THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA****W.P. (MD) No.2320 of 2016**

A.Aysha Begam

... Petitioner

Vs.

- 1.The Accountant General (A & E),
The Principal of Accountant General (A & E),
Anna Salai, Chennai 18.
- 2.The Director of Public Health and Preventive Medicine,
No.359, Anna Salai,
Thenampet, Chennai - 6.
- 3.The Deputy Director of Medical
& Rural Health Services & Family Welfare,
Trichy District.
- 4.The Block Development Officer,
The Block Development Office3,
Senthurai Post,
Ariyalur District.
- 5.The Assistant Director of Local Fund Audit,
Ariyalur,
Ariyalur District.

... Respondents

Prayer: The Writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to send revised pension and family pension proposal of the petitioner to the 1st respondent taking into account the service rendered by the petitioner's husband in the 3rd respondent office as Health Inspector w.e.f.26.02.1960 to 31.05.1968 as qualifying service and the period of service from 01.06.1968 to 11.07.1988 as leave on loss of pay non qualifying service for the purpose of pension and family pension by considering the petitioner's representation dated 18.11.2015 in furtherence directing the 1st respondent to authorize revised pension and family pension to the petitioner and pay the arrears within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar

For Respondents : Mr.P.Gunasekaran for R1

: Mr.R.Anandharaj, G.A.for R2 to R5

**ORDER**

The Writ petition has been filed to issue a Writ of Mandamus, directing the 3rd respondent to send revised pension and family pension proposal of the petitioner to the 1st respondent by taking into account the service rendered by her husband in the 3rd respondent office as Health Inspector by considering the representation dated 18.11.2015 within a time frame.

2. Heard the learned counsel appearing for the petitioner, learned counsel appearing for the first respondent and the learned Government Advocate appearing for the respondents 2 to 5.

3. The grievance of the petitioner is that the pension payable to her husband late A. Avukar Kunju has not been received so far for the service rendered from 26.02.1960 to 31.05.1968 as qualifying service in the 3rd respondent Department and the period from 01.06.1968 to 11.07.1988 as leave on loss of pay in non-qualifying service for the purpose of pension and also family pension by considering her representation dated 18.11.2015.

4. The learned Government Advocate appearing for the respondents 2 to 5 would submit that the representation of the petitioner will be considered in accordance with law.

5. In view of the above, without going into the merits of the claim made by the petitioner in this Writ Petition, the 3rd respondent is directed to pass appropriate orders on the representation of the petitioner, dated 18.11.2015, 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 stands disposed of. No costs.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Accountant General (A & E),
The Principal of Accountant General (A & E),
Anna Salai,
Chennai 18.

2. The Director of Public Health and Preventive Medicine,
Anna Salai,
Thenampet,
Chennai - 6.



3.The Deputy Director of Medical &
Rural Health Services & Family Welfare,
Trichy District.

4.The Block Development Officer,
The Block Development Office3,
Senthurai Post,
Ariyalur District.

5.The Assistant Director of Local Fund Audit,
Ariyalur,
Ariyalur District.

+1cc to M/s.Ajmal Associates, Advocate in Sr.No.13594
+1cc to M/s.P.Gunasekaran, Advocate in Sr.No.13828
+1cc to Special Government Pleader in Sr.No. 13556

CN/SKN-SK/28.03.2016/3P-9C

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