



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2016

CORAM :

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

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Writ Petition (MD) No.4264 of 2016

L.P.Renganathan

... Petitioner

Vs.

1.The Principal Secretary
Cum Commissioner,
Indian Medicine and Homeopathy
Department, Chennai 106.

2.The Director,
Directorate of Local Fund Audit,
Kuralagam,
Chennai 600 108.

3.The Assistant Director,
Panchayat Union,
Pension Section,
Kuralagam,
Chennai 600 108.

4.The Commissioner,
Uppliyapuram Panchayat Union,
Trichy District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 through the fourth respondent to disburse the pension to the petitioner as entitled by the petitioner as per the Tamilnadu Pension Rules within the time to be fixed by this Court and consequently directing the third respondent to include the name of the wife of the petitioner namely R.Saraswathi as eligible person for family pension under the Tamilnadu Pension Rules.

For Petitioner : Mr.R.Devaraj

For Respondents 1&4 : Mr.R.Anand Raj,
Government Advocate.

For Respondents 2&3 : Mr.S.Satheeshkumar,
Additional Government Pleader.

ORDER

The petitioner has come up with the above writ petition for the issue of a writ of mandamus, to direct the respondents 2 and 3 to disburse pension to the petitioner as per the Tamil Nadu Pension Rules and to direct the third



respondent to include the name of his wife namely, R.Saraswathi as eligible person for getting family pension under the Tamil Nadu Pension Rules.

2.Heard the learned counsel for the petitioner. Mr.R.Anand Raj, learned Government Advocate takes notice for the respondents 1 and 4 and Mr.S.Satheeshkumar, learned Additional Government Pleader takes notice for the respondents 2 and 3.

3.According to the petitioner, he has worked as Rural Medical Officer (Sidha) and retired on 30.11.1990. The petitioner's commuted pension was regularised from 01.12.1990 and revised on 01.01.1996 as per the Pay Commission recommendations. However, no amount has been disbursed to the petitioner. It is further submitted that the name of the petitioner's wife has not been included as the eligible person to receive family pension. Therefore, the petitioner has approached the authorities. The petitioner has also approached the Director of Pension by way of a representation dated 14.11.2014 and the same was forwarded to the second respondent. Since no order has been passed so far, the petitioner has come up with the above writ petition.

4.Considering the above facts and circumstances of the case, the petitioner is directed to give a fresh representation to the authorities concerned within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the authorities concerned shall consider the same and pass appropriate orders on merits and in accordance with law, within four weeks thereafter.

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

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary
Cum Commissioner,
Indian Medicine and Homeopathy
Department, Chennai 106.

2.The Director,
Directorate of Local Fund Audit,
Kuralagam, Chennai 600 108.

3.The Assistant Director,
Panchayat Union, Pension Section,
Kuralagam, Chennai 600 108.



4.The Commissioner,
Uppliyapuram Panchayat Union,
Trichy District.

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+1cc to Spl.GOvernment Pleader Sr.No. 12136

+1cc to Mr.R.Devaaraj,dvocate Sr.No.11932

sms

AA/JGB-DP/08.03.2016/3p-7c

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