

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10345 of 2017

A.Rani

..Petitioner

-vs-

1. The Director
Pensions
No.259, DMS Campus
Anna Salai
Teynampet
Chennai 600 006

2. The Administrative Officer
Government Rehabilitation Home
Selliampatti
Dharmapuri District

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 18.03.2016 which was given to the first respondent for the grant of family pension, on merits within a time frame stipulated by this Hon'ble Court.

For Petitioner :: Mr.A.S.Kaizer

For Respondents :: Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner is the wife of late M.Bakthavathsalam, who died on 14.9.2014. While the petitioner's husband was serving as Special Grade Warder at Government Rehabilitation Home, Selliampatti, Dharmapuri District, her husband nominated her for receiving the family pension in Form B on 12.5.92. Subsequently, her husband took voluntary retirement on 9.10.98 and the pension payment order was also issued to her husband. Therefore, it is the claim of the petitioner that after her husband's death, she has also obtained a legal heirship certificate from the competent authority on 27.11.2014, which shows that she is the legal heir of the deceased and entitled to receive the family

pension. Hence her representation may be directed to be considered for grant of family pension on merits.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the respondents, sought four weeks time to consider the representation of the petitioner.

3. The relevant document, prima facie, shows that the petitioner is the wife of late M.Bakthavathsalam. Hence, the first respondent is hereby directed to consider and dispose of the pending representation of the petitioner for grant of family pension within a period of four weeks from the date of receipt of a copy of this order, in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ss

To

1. The Director
Pensions
No.259, DMS Campus
Anna Salai
Teynampet
Chennai 600 006

2. The Administrative Officer
Government Rehabilitation Home
Selliampatti
Dharmapuri District

+lcc to M/S.A.S.Kaizer, Advocate Sr. 25599

+lcc to the Government Pleader, Sr. 25341

W.P.No.10345 of 2017

NRI (CO)
VR(16/5/2017)