

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No. 9735 of 2017

Mari

...Petitioner

vs.

1 The District Forest Officer
Hosur Forest Division
Hosur Cattle Farm
Mathigiri 635 110
Krishnagiri District

2 The Accountant General (A & E)
No.261, Anna Salai
Teynampet
Chennai 600 018

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second respondent to include the petitioner's name viz., Mari, W/o late A. Annamalai in the Pension Pay Order No.C415562/FOREST for granting family pension based on the recommendation of the first respondent dated 05.07.2016 and consequently, direct the respondents to pay the family pension and other pensionary benefits that are due to the petitioner's husband forthwith.

For petitioner Mr. M.R. Jothimanian

For R1 Mr. N. Inbanathan
Government Advocate (Forest)

For R2 Mr. V. Vijayashankar

ORDER

Mr. N. Inbanathan, learned Government Advocate (Forest), accepts notice for the first respondent. Mr. V. Vijayashankar, learned counsel, accepts notice for the second respondent. With consent, this writ petition is taken up for final disposal.

2 The petitioner's husband A. Annamalai, who was appointed as Driver on 23.12.1982 in the office of the District

Forest Officer, Hosur, Forest Division, Madanagiri, Krishnagiri District, retired from service on 31.10.1999 and breathed his last on 21.04.2009 leaving behind his wife and children. Till his demise, he was in receipt of pension. However, after his demise, the petitioner, who is his wife, has not been paid family pension on the ground that her name was not included in the Pension Payment Order for getting family pension. Hence, the petitioner addressed a representation dated 05.06.2016 to the second respondent seeking inclusion of her name in the Pension Payment Order for grant of family pension and in this regard, recommendation was also made by the first respondent to the second respondent on 05.07.2016 for inclusion of the petitioner's name in the Pension Payment Order. Notwithstanding such recommendation made by the first respondent, the second respondent has not done the needful. Hence, the present writ petition seeking the aforestated relief.

3 Mr. V. Vijayashankar, learned counsel appearing for the second respondent submitted that three weeks time may be granted to the second respondent to consider and pass orders on the petitioner's representation dated 05.06.2016 on the basis of the recommendation dated 05.07.2016 made by the first respondent.

4 In view of the above submission made by the learned counsel for the second respondent, the second respondent is directed to consider and pass orders on the petitioner's representation dated 05.06.2016 on its own merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order on the basis of the recommendation dated 05.07.2016 made by the first respondent.

With the above direction, this writ petition stands disposed of. Costs made easy.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

To

1 The District Forest Officer
Hosur Forest Division
Hosur Cattle Farm
Mathigiri 635 110
Krishnagiri District

2 The Accountant General (A & E)
No.261, Anna Salai
Teynampet, Chennai 600 018

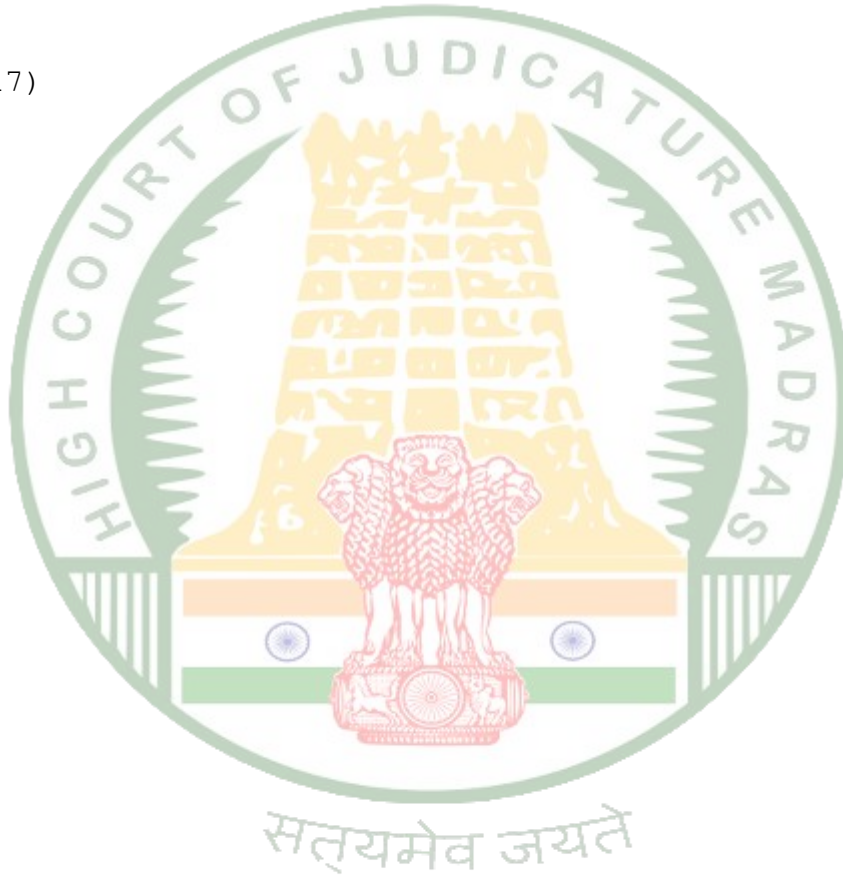
+1cc to Mr.M.R. Jothimanian, Advocate Sr. 24105

+1cc to Mr.V. Vijayshankar, Advocate Sr. 24336

+1cc to the Government Pleader Sr. 24198

W.P. No.9735 of 2017

GJ(CO)
VR(8/5/2017)



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