

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.31866 of 2017

Parvathi

W/o Periyandavar

.. Petitioner

-vs-

1. Union of India
rep.by its Chief Secretary to Government
Government of Puducherry
Puducherry
2. The Director
Directorate of Accounts and Treasuries
Pondicherry
3. The Junior Accounts Officer
Directorate of Accounts and Treasuries
Pondicherry
4. The Director
Department of School and College Education
Education Department
Pondicherry
5. The Principal
Vivekanantha Government Boys
Higher Secondary School
Villianur
Pondicherry-10

Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 10.01.2016 pertaining to disbursement of pension and other retirement benefits of her missing husband/pensioner in favour of her in support of her livelihood.

For Petitioner:: Mr.E.Anbarasan

For Respondents:: Mr.J.Kumaran
Government Advocate (Pondy)

ORDER

The petitioner is the wife of late Periyandavar, who served as a teacher from 17.6.66 till the date of his superannuation on 30.11.2004, and enjoyed the retiral benefits along with the pension till he went missing with effect from 21.12.2015.

2. Learned counsel for the petitioner submitted that when the petitioner's husband proceeded to a temple on 21.12.2015, he did not return home. Therefore, a police complaint was given on 29.2.2016 before the Reddiarpalayam Police Station and the same was registered in Crime No.18 of 2016 for 'man missing'. But till date, there is no response from the police department as to whether they have traced him or not. In any event, since she was enjoying the monthly pension after his retirement that took place on 30.11.2004, she has given a representation on 10.1.2017 with a request for payment of pension and other retiral benefits, which is due to her missing husband. But the same has not been considered. Therefore, she has come to this Court. Learned counsel for the petitioner also placed on record the copy of the Office Memorandum issued by the Deputy Secretary to Government of India, Ministry of Personnel, P.G.& Pensions dated 25.6.2013 and prayed for a direction to consider her representation in the light of the said communication.

3. The learned Government Advocate for the respondents sought four weeks time to consider the representation of the petitioner.

4. Placing on record the request made by the learned Government Advocate for the respondents, the petitioner is directed to submit one more copy of the representation dated 10.1.2017 along with the office memorandum issued by the Deputy Secretary to Government of India, Ministry of Personnel, P.G.& Pensions dated 25.6.2013 to the respondents enclosing a copy of this order within a week from the date of receipt of a copy of this order. On receipt of the same, the respondents are directed to consider the representation of the petitioner on merits, in the light of the Office Memorandum issued by the Deputy Secretary to Government of India, Ministry of Personnel, P.G.& Pensions dated 25.6.2013, and pass appropriate orders within a period of four weeks thereafter. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True copy//

Sub Assistant Registrar

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To

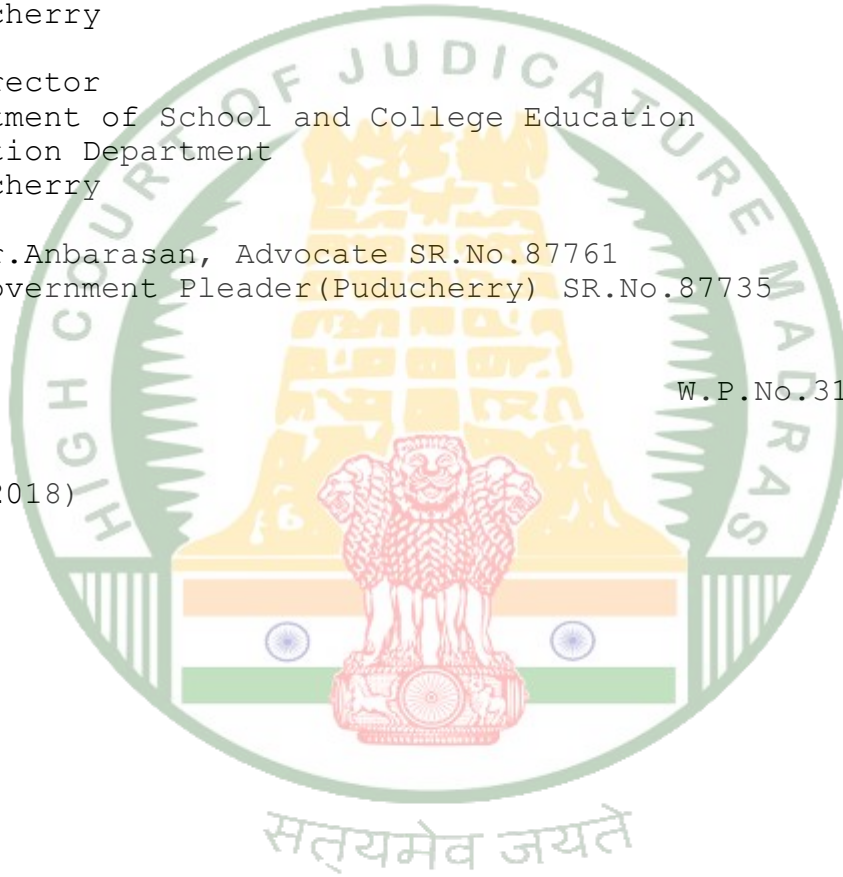
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Department of School and College Education
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+1cc to Mr.Anbarasan, Advocate SR.No.87761

+1cc to Government Pleader(Puducherry) SR.No.87735

W.P.No.31866 of 2017

MG (CO)
GN (02/01/2018)



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