

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2258 of 2017

Selvi C.Kamatchi

... Petitioner

Vs

- 1 The Chairman
Tamilnadu Electricity Board
No.800, Anna Salai
Mount Road, Chennai-600002
- 2 The Deputy Chief Internal Audit Officer
Pension
Audit Department
No.144, Anna Salai
Chennai-600002
- 3 The Superintending Engineer
Nagai Electricity
Distribution Circle
Nagapattinam

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, Directing the 3rd respondent herein to dispose of the petitioner's representation dated 30.09.2013 which was forwarded to him by the 2nd respondent through his letter dated 27.01.2014 in accordance with law within a time frame that may be fixed by this Honourable Court.

For Petitioner : Mr.R.Kuyilan

For Respondents: Mr.R.Varalakshmi for TNEB

ORDER

By consent, the writ petition is taken up for final disposal. Ms.R.Varalakshmi, learned Standing Counsel accepts notice on behalf of the respondents.

2 The father of the petitioner was working in the services of the then Tamil Nadu Electricity Board and retired from service as Revenue Officer. After his retirement, he was in receipt of pension and he died on 22.01.1994, leaving behind him, his two daughters which includes the petitioner as well as two sons. The petitioner would further aver that her

mother had also predeceased the father on 05.02.1992. Now, the grievance expressed by the petitioner is that despite she made a request to the authorities concerned for payment of family pension and the documents required have also been given, no orders have been passed on the request and therefore, she had come forward with this writ petition.

3. The learned counsel for the petitioner had drawn the attention to the typed set of papers and documents and as per the proceedings of the 2nd respondent dated 27.01.2014 and that of the 3rd respondent dated 07.01.2015, all the documents have been submitted, however, orders are yet to be passed. Therefore, the petitioner is constrained to file this writ petition.

5. This Court heard the rival submissions and perused the materials placed before it.

6. It is regret to note that the application for family pension submitted by the petitioner is kept pending for years together. According to the petitioner, all the relevant documents have been furnished. The petitioner, in this regard, has also sent a legal notice dated 22.12.2016 to the 3rd respondent, which was received on 23.12.2016. This Court, taking into consideration the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 3rd respondent to consider the legal notice dated 22.12.2016 sent on behalf of the petitioner and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Chairman
Tamilnadu Electricity Board
No.800, Anna Salai
Mount Road, Chennai-600002
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Pension
Audit Department
No.144, Anna Salai
Chennai-600002
- 3 The Superintending Engineer
Nagai Electricity Distribution Circle
Nagapattinam.

+1cc to Mr.R. Varalakshmi, Advocate, S.R.No.6101

+1cc to Mr.M.R. Kuyilan, Advocate, S.R.No.6542

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KSJ(CO)
EU 15.2.17



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