

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26632 of 2017

A.Palani

.. Petitioner

-vs-

1. The Government of Tamil Nadu
represented by its Secretary
Ministry of Health and Family Welfare
Secretariat
Chennai 600 009
 2. The Dean
Government General Hospital
Chennai 600 003
 3. Principal Accountant General (A&E)
Tamil Nadu
Teynampet
Chennai 600 018
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to incorporate the name of the petitioner's living wife Mrs.Shanthi.A, in the petitioner's Pension Pay Order bearing No.PO6/10604262/4/PPO No.R0604262 dated 16.08.2011.

For Petitioner :: Mr.R.Arumugam

For Respondents सत्यमेव जयते :: Mr.ERA.Premnath
Government Advocate

ORDER

The petitioner was permitted to retire from service by order dated 31.10.2008 by the Dean of Government General Hospital, Chennai. Consequently, his pensionary benefis were also sanctioned on 16.8.2011 with the intervention of the Court's order dated 24.9.2010 in W.P.No.21889 of 2010. Since his first wife passed away on 27.7.2013, he was under compulsion to go for second marriage with one Shanthi on 4.2.2014 to take care of him, as he was totally sick and needed assistance. Thereafter, he has made a representation on 2.5.2014 to the second and third respondents to incorporate the name of the second wife, as she is also living with him, for other benefits,

followed by the last representation dated 24.6.2017. But the said representation has not been till date considered. Hence a direction may be issued, he pleaded.

2. The learned Government Advocate for the respondents sought for four weeks time to consider his representation.

3. In view of the above, the respondents 2 and 3 are hereby directed to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

ss

To

1. The Secretary to Government
Ministry of Health and Family Welfare
Secretariat
Chennai 600 009
2. The Dean
Government General Hospital
Chennai 600 003
3. The Principal Accountant General (A&E)
Tamil Nadu
Teynampet
Chennai 600 018

+ 1 cc to Mr.R.Arumugam, Advocate sr.73170

+ 1 cc to Govt.Pleader asr.73710

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RR 13/11/2017