

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2017

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.5443 of 2015
and
M.P.Nos.1&2 of 2015

T.C.Gnanaprakasam .. Petitioner

Vs.

1. The District Collector,
Villupuram District.
2. The Commissioner/Block Development Officer,
Vallam Panchayat Union.
3. The Tahsildar,
Chenji,
Villupuram District.
4. Velankanni ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in connection with the order passed by him in Na.ka.A4/487/2011 of May, 2014, quash the same and direct the respondents to pay family pension and other pensionary benefits from the date of death of the petitioner's wife.

For Petitioners : Mr.R.Singaravelan,
Senior counsel for
Mrs.M.Srividhya

For Respondents 1 & 3 : Mr.A.Zakkir Hussain, G.A.
For Respondent No.2 : Mr.K.Rajendranarasimhan

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O R D E R

The writ petitioner is the husband of one Tmt.Susaiammal who served as Assistant in Nutritious Meal Scheme Centre in RC School at Kilvilamur of Vallam Panchayat Union. The wife of the writ petitioner died on 30.12.2004 and the writ petitioner was nominated for the purpose of receiving terminal and pensionary benefits due to the wife of the writ petitioner.

The respondents are denying the retiral benefits due to the writ petitioner on the ground that daughter of the writ petitioner is raising an objection. In respect of the monthly pension, spouse of the Government employee alone is entitled as per the Tamilnadu Pension Rules and in respect of the other retiral benefits, the dispute is to be resolved in accordance with law.

2 However, the learned Senior counsel appearing for the writ petitioner contended that it is suffice to direct the respondents to consider the representation submitted by the writ petitioner on 12.12.2014 and 5.2.2015.

3 Thus, without going into the merits of the case, this Court is inclined to direct the first respondent to consider the representation, dated 12.12.2014 and 5.2.2015 submitted by the writ petitioner on merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4 The writ petition stands disposed of. No costs. Consequently, connected M.P.No.1 & 2 of 2015 are closed.

Sd/-
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1. The District Collector,
Villupuram District.
- 2 The Commissioner/Block Development Officer,
Vallam Panchayat Union,
- 3 The Tahsildar,
Chenji,
Villupuram District.

+1cc to Mrs.M.Srividhya, Advocate, S.R.No.37381
+1cc to the Government Pleader, S.R.No.37485

Writ Petition No.5443 of 2015
and M.P.No.2 of 2015

GJ(CO)
RS(06/06/2017)