

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-08-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.32991 of 2016

M.Sathiyavanimuthu

.. Petitioner

vs.

1.The Secretary to Government,  
Commercial Taxes and Registration Department,  
Fort St. George,  
Chennai-9.

2.The Commercial Tax Officer,  
Polur,  
Thiruvannamalai District.

3.The Principal Accountant General,  
(Accounts & Entitlements),  
Chennai-18.

.. Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the third respondent to pass order on the representation made by the petitioner dated 5.6.2012 in the light of the proposal sent by the second respondent in his proceedings No.Rc.B3.363/2015 dated 14.8.2015 for the purpose of sanctioning the family pension from 31.3.2012 in favour of the petitioner and all other monetary benefits.

For Petitioner : Mr.A.Tamilrajan

For Respondents-1&2: Mr.S.Kanmani Annamalai,  
Additional Government Pleader  
(Taxes)

For Respondent-3 : Mr.V.Vijayshankar

O R D E R

The relief sought for in this writ petition is for a direction to the third respondent to pass orders on the representation made by the writ petitioner on 5.6.2012 in the light of the proposal sent by the second respondent in proceedings No.Rc.B3.363/2015 dated 14.8.2015 in relation to the sanction of the family pension to the writ petitioner with effect from 31.3.2012.

2. The husband of the writ petitioner was working as Special Grade Office Assistant in the Office of the Deputy Commercial Tax Office, Polur, Thiruvannamalai District and retired from service on attaining the age of superannuation on 28.2.1999. Thereafter, the husband of the writ petitioner died on 30.8.2012. Consequently, the writ petitioner is entitled for family pension. In this regard, the Commercial Tax Officer, Polur, Thiruvannamalai District, submitted a proposal to the Accountant General in proceedings No.Rc.B3.363 dated 14.8.2015 and the same is yet to be considered by the respondents.

3. Under these circumstances, without going into the merits and the demerits of the case, the respondents are directed to consider the representation of the writ petitioner submitted on 5.6.2012 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-  
Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

Svn

To

1.The Secretary to Government,  
Commercial Taxes and Registration Department,  
Fort St. George,  
Chennai-9.

2.The Commercial Tax Officer,  
Polur,  
Thiruvannamalai District.

3.The Principal Accountant General,  
(Accounts & Entitlements),  
Chennai-18.

+1cc to Mr.A.Tamil Rajan,Advocate sr.57125  
+1cc to Mr.V.Vijay Shankar,Advocate sr.57835  
+1cc to Special Government Pleader(Taxes) sr.57531

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