

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.7853 of 2016

Banumathi

... Petitioner

Vs.

- 1.Union of India,
Rep by its Secretary, Ministry of Defence
Department of Ex Servicemen Welfare,
101-A, South Block, New Delhi.
- 2.The General Manager,
State Bank of India, Corporate Center,
Mumbai.
- 3.The Chairman,
Central Board of Trustees,
State Bank Bhavan,
SBI Employees Pension Fund,
SBI Madame Cama Road,
Mumbai 400 021.
- 4.The General Manager,
P.P.G. Department,
Chennai Local Head Office,
State Bank of India,
College Road, Chennai 6.
- 5.The Branch Manager,
State Bank of India, सत्यमेव जयते
Maduranthagam Branch,
Maduranthagam, Kanchipuram District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus, directing the respondents 2 to 5 to sanction family pension to the petitioner due to the death of her husband late Gnanasekaran, who worked as Head Armed Guard under the 5th respondent in terms of the letter No.01(05)/2010-D(Pen/Policy) dated 17.01.2013 of the 1st respondent and Circular No:CDO/P&HRD-PM/83/2012-2013 dated 04.03.2013 of the 2nd respondent.

For Petitioner : No Appearance

For Respondents: Mr.P.Sukumar for R2 to R5

O R D E R

The Legal Cell of Head Quarters Dakshin Bharat Area, Island Grounds, Chennai -09, has requested the Registrar General of this Court to transfer the writ petition as it deals with certain conditions of Armed personnel.

2. The counsel for the petitioner is absent.

3. Mr.P.Sukumar, learned Standing Counsel appearing for respondents 1 to 5 has drawn the attention of this Court to the counter affidavit and would submit that the matter in issue pertains to grant of family pension to the petitioner due to the death of her husband late N.Ganasekaran. He would further submit that her husband has already received army pension and subsequently, the petitioner has been sanctioned family pension with effect from 24.09.2012 and as such, nothing survives for adjudication in this writ petition. It is relevant to extract paragraph Nos.3 and 4 of the counter affidavit dated 24.11.2016 filed by respondents 2 to 4:

"3.In pursuance, of her application the State Bank of India has sanctioned family pension to her with effect from 24.09.2012, the date fixed by the Government of India for payment of dual pension. Accordingly, the amount which is due to the petitioner was credited to her Savings Bank Account No.30468008299 with arrears on 23.09.2016.

4. In view of the foregoing that nothing survives in the writ petition since, the pension has already been remitted in her Saving Bank Account and the future pension will also be credited to the said account."

4. In the light of the said development, nothing survives for adjudication in this writ petition and therefore, it is closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsm

To

- 1.The Secretary,
Union of India,
Ministry of Defence
Department of Ex Servicemen Welfare,
101-A, South Block, New Delhi.
- 2.The General Manager,
State Bank of India, Corporate Center,
Mumbai.
- 3.The Chairman,
Central Board of Trustees,
State Bank Bhavan,
SBI Employees Pension Fund,
SBI Madame Cama Road,
Mumbai 400 021.
- 4.The General Manager,
P.P.G. Department,
Chennai Local Head Office,
State Bank of India,
College Road, Chennai 6.
- 5.The Branch Manager,
State Bank of India,
Maduranthagam Branch,
Maduranthagam, Kanchipuram District.
6. Tmt.Banumathi
W/o.Late N.Ganasekaran
No.47, Pillaiyar Koil Street,
Krishnapuram Village & Posts
Polur Taluk
Thiruvannamalai District
- 7.The Secretary
Legal Cell,
HQ Dakshin Bharat Area,
Island Grounds, Chennai-9

+1 cc to M/s.P.Sukumar Advocate sr 12717

Writ Petition No.7853 of 2016

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