



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.6862 of 2017

Muthulakshmi

..Petitioner

Vs.

The Principal Accountant General,
Accountant General Office,
No.361, Anna Salai, Chennai.

.. Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to sanction the pension to the petitioner's husband Selvarajan in accordance with Rule 43 Sub Rule 2(A) of Tamil Nadu Pension Rules 1978 by considering the representation, dated 31.01.2017.

For Petitioner	: Mr.K.Baalasundharam
For Respondent	: Mr.P.Gunasekaran, Standing Counsel for Accountant General.

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondent to sanction the pension to the petitioner's husband Selvarajan in accordance with Rule 43 Sub Rule 2(A) of Tamil Nadu Pension Rules 1978 by considering the representation, dated 31.01.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for Accountant General appearing for the respondent.

3. Mr.P.Gunasekaran, learned Standing Counsel for Accountant General, takes notice for the respondent. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction, the learned counsel for the petitioner submit that the petitioner will be satisfied if a direction is issued to the



respondent to consider the representation of the petitioner, dated 31.01.2017, within a stipulated time fixed by this Court.

5. Having regard to the limited scope of the prayer now sought by the learned counsel for the petitioner before this Court, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The respondent is directed to consider the representation of the petitioner, dated 31.01.2017, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also directed to submit a fresh copy of his representation, dated 31.01.2017 along with a copy of the order of this Court within a period of two weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.K.BAALASUNDHARAM, ADVOCATE IN SR No. 52137.
+ 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 52171

PMU

TE/KP : 03/05/2017 : 2P/3C

ORDER MADE IN
W.P. (MD) .No.6862 of 2017
17.04.2017