

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 25.05.2017

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN**W.P. (MD) No. 9759 of 2017**

M. Sehupathi

... Petitioner

Vs.

1. The Chief Accountant General (A & E),
Chennai - 600 018.2. The Deputy Inspector General of Prisons,
Tiruchirapalli Region,
Tiruchirapalli - 620 023.3. The Superintendent of Prisons,
Central Prison,
Trichirapalli.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent herein to forward the name of the petitioner's second wife viz., Tmt. Lalitha to the 1st respondent to include her name in the pension pay order of the petitioner pursuant to the proceedings of the 3rd respondent in NO.3772/Ki.C.Vu/2014 dated 27.08.2014 without insisting for production of the legal heirship certificate of the deceased first wife as per the proceedings in No.2995/Ki.C.Vu./2017 dated 22.02.2017 of the 3rd respondent herein.

For Petitioner : Mr.V.Illanchezhian
For Respondents : Mr.T.R.Janarthanan,
Additional Government Pleader.

O R D E R

The petitioner seeks for a Writ of Mandamus directing the 3rd respondent herein to forward the name of the petitioner's second wife viz., Tmt. Lalitha to the 1st respondent to include her name in the pension pay order of the petitioner pursuant to the proceedings of the 3rd respondent in NO.3772/Ki.C.Vu/2014 dated 27.08.2014 without insisting for production of the legal heirship certificate of the deceased first wife as per the proceedings in NO.2995/Ki.C.Vu./2017 dated 22.02.2017 of the 3rd respondent herein.



2. Mr.T.R.Janarthanan, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

4. On the other hand, the learned Additional Government Pleader would submit that the petitioner has not sent any representation to that effect.

5. In view of the limited scope of the prayer, without going into the merits of the matter, the petitioner is directed to send a representation to the third respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, the third respondent shall pass orders on the same on merits and in accordance with law, after giving notice to the interested parties, if any, within a period of four weeks, thereafter.

6.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Chief Accountant General (A & E),
Chennai - 600 018.
 2. The Deputy Inspector General of Prisons,
Tiruchirapalli Region,
Tiruchirapalli - 620 023.
 3. The Superintendent of Prisons,
Central Prison,
Trichirapalli.
- +1cc to M/S. V.ILLANCHEZIAN, Advocate, SR.No.57268.

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